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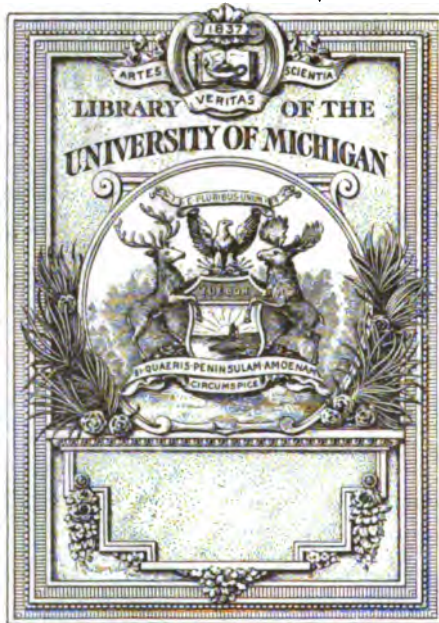
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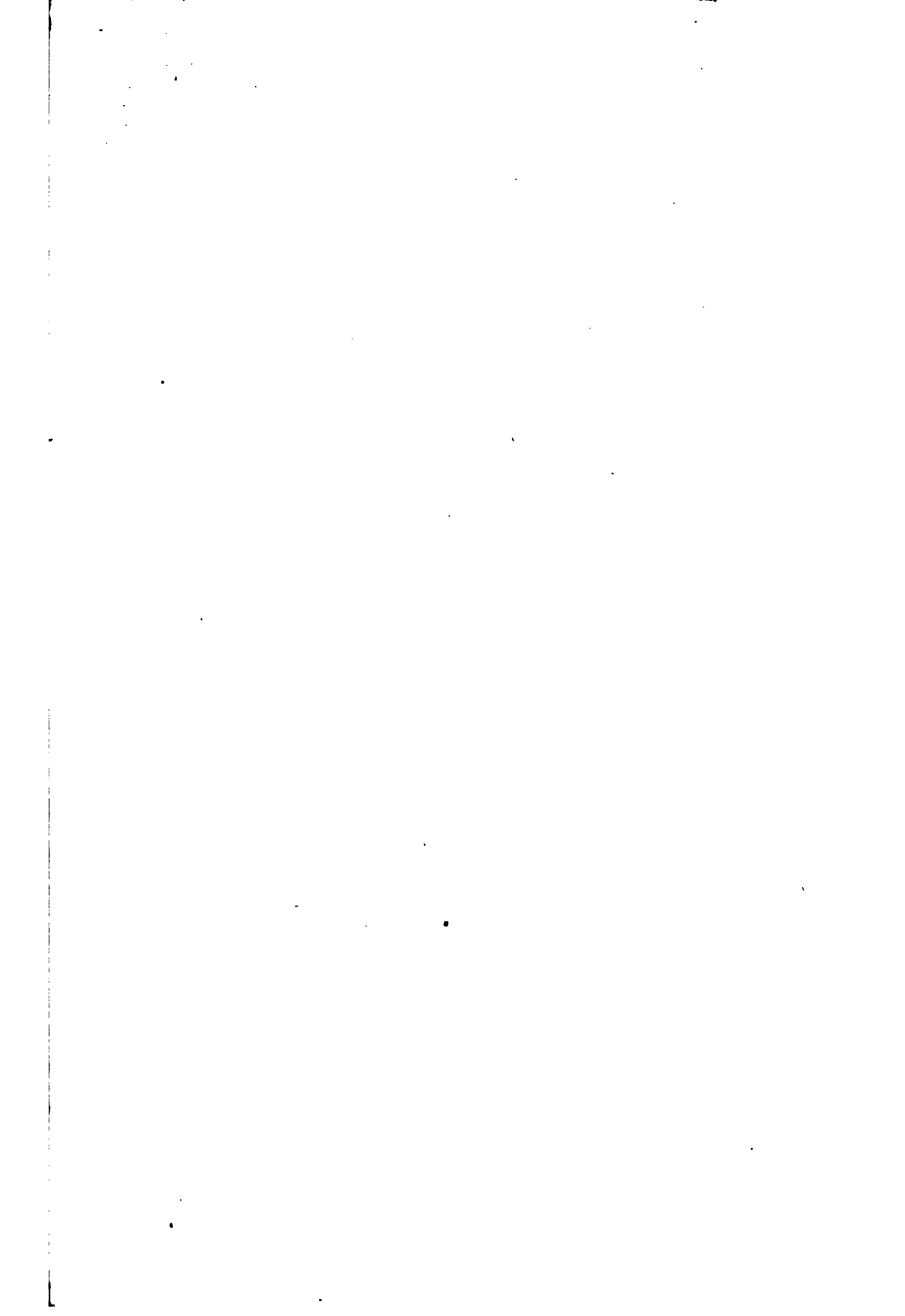
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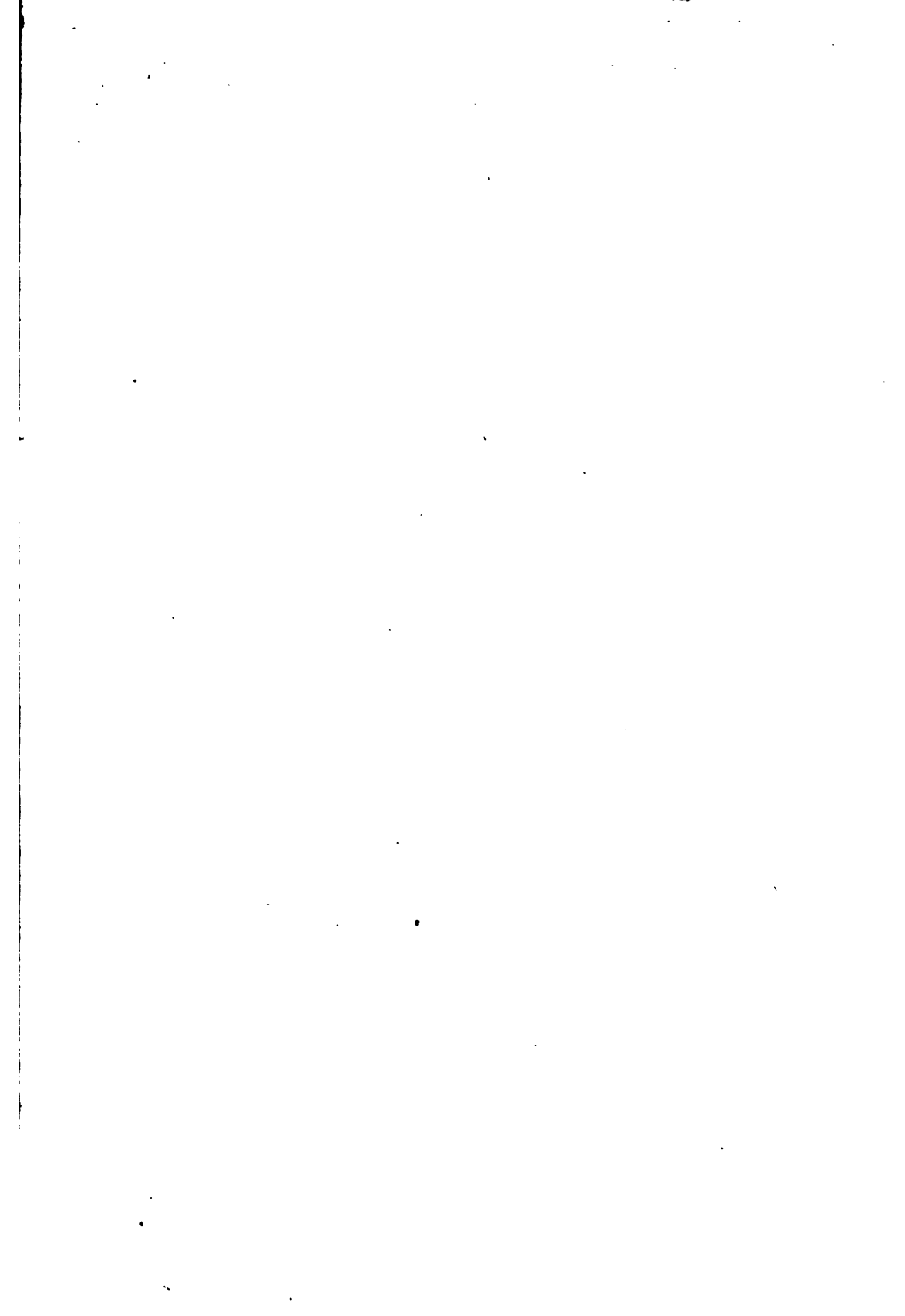
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JOURNAL
OF
THE SENATE
OF THE
STATE OF MICHIGAN

1909

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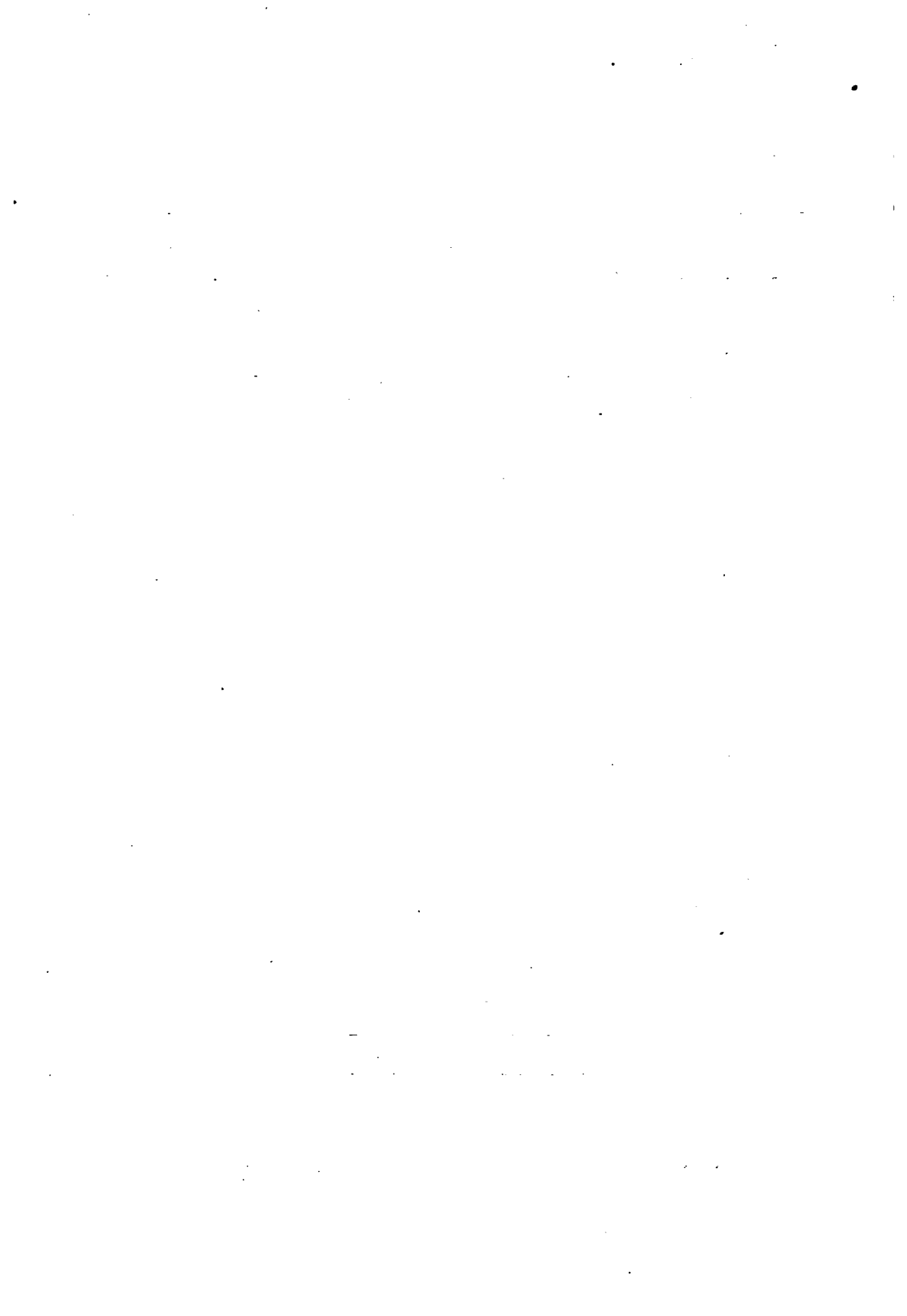
Secretary of the Senate

IN TWO VOLUMES—VOL. I



BY AUTHORITY

LANSING, MICHIGAN
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1909



MICHIGAN Journal of the Senate

SESSION OF 1909

FIRST DAY.

Lansing, Wednesday, January 6.

12 o'clock m.

In conformity with the requirements of the constitution of the State of Michigan, and the statutes in such case made and provided, the Senate of the State of Michigan, on this day, at 12 o'clock m., convened in the Senate Chamber at Lansing, in said State, and was called to order by Honorable Patrick H. Kelley, Lieutenant Governor and President of the Senate.

Religious exercises were conducted by Rev. James T. Le Gear of Lansing.

The certified list of Senators-elect was read by Elbert V. Chilson, Secretary of the last Senate, as follows:

Michigan Department of State,
Lansing, January 6, 1909.

Elbert V. Chilson,
Secretary of the Senate of 1907:

Sir,—I enclose herewith a certified list of the names of the members-elect of the State Senate for the years 1909 and 1910, as shown by the returns from the clerks of the several counties of the State now on file in this office.

Very respectfully,
FREDERICK C. MARTINDALE,
Secretary of State.

First district—Lawrence W. Snell.
Second district—Gustav A. Krueger.
Third district—John D. M. MacKay.
Fourth district—John N. Anhut.
Fifth district—George G. Scott.
Sixth district—Walter R. Taylor.
Seventh district—Charles E. White.
Eighth district—Erastus N. Bates.
Ninth district—Albert C. Kingman.
Tenth district—L. Whitney Watkins.
Eleventh district—James E. Weter.
Twelfth district—Frank T. Newton.

Thirteenth district—Francis J. Shields.
 Fourteenth district—Arthur J. Tuttle.
 Fifteenth district—Luren D. Dickinson.
 Sixteenth district—Carl E. Mapes.
 Seventeenth district—Horace T. Barnaby.
 Eighteenth district—William H. Bradley.
 Nineteenth district—Fred B. Kline.
 Twentieth district—William H. Aitkin.
 Twenty-first district—Edwin G. Fox.
 Twenty-second district—Joseph H. Whitney.
 Twenty-third district—Tom J. G. Bolt.
 Twenty-fourth district—William A. Collins.
 Twenty-fifth district—Newton O. Ward.
 Twenty-sixth district—Earl Fairbanks.
 Twenty-seventh district—Fred C. Wetmore.
 Twenty-eighth district—Eugene Foster.
 Twenty-ninth district—Frederick R. Ming.
 Thirtieth district—Otto Fowle.
 Thirty-first district—Michael H. Moriarty.
 Thirty-second district—Charles Smith.

I, Frederick C. Martindale, Secretary of State of the State of Michigan, hereby certify that I have compared the annexed and foregoing list of all the Senators-elect of the State of Michigan for the years 1909 and 1910, with the original returns, as transmitted to me by the clerks of the several counties of the State, and that it is a true and correct list.

In Testimony Whereof, I have hereto set my hand and affixed the Great Seal of the State, at Lansing, this fifth day of January, in the year one thousand nine hundred nine, and of the Independence of the United States of America the one hundred and thirty-third.

FREDERICK C. MARTINDALE,
 Secretary of State.

[SEAL]

The Senators-elect came forward, took and subscribed the constitutional oath of office and entered upon the discharge of their duties as Senators.

The Secretary called the roll of the Senate and the following Senators answered to their names:

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Taylor
Anhut	Foster	Ming	Tuttle
Barnaby	Fowle	Moriarty	Ward
Bates	Fox	Newton	Watkins
Bolt	Kingman	Scott	Weter
Bradley	Kline	Shields	Wetmore
Collins	Krueger	Smith	White
Dickinson	MacKay	Snell	Whitney

The President then addressed the Senate as follows:

Gentlemen of the Senate: I desire at this time to convey to the people of Michigan my sincere appreciation of the honor which they have conferred upon me by electing me for a second time to the office of Lieutenant Governor, and by virtue of that office, to the Presidency of the State Senate.

I am not unmindful of the fact that it is a high honor to be called upon to preside over the deliberations of this body, and I assure you that I look forward with pleasure to the cordial relations which I trust will grow out of our associations here together.

The work before the forty-fifth legislature is of unusual importance and the people of Michigan have done you a signal honor by entrusting this work into your hands. Upon the shoulders of this legislature there rests largely increased responsibility. With that increased responsibility there will come to you increased opportunity for service.

I congratulate you, therefore, upon your election to this Senate and upon the opportunity which your election affords to render valuable and lasting service to the people of Michigan and to assist in making an enviable place for the forty-fifth legislature in the history of our State.

You are here, gentlemen of the Senate, in a representative capacity, entrusted with wide discretionary powers. The legislature is one branch of the State Government charged with the conduct of public business, and as members thereof, you represent three millions of people and two billions of property.

In a sense you are directors of a great municipal corporation, maintaining at an annual cost of upwards of four millions of dollars, not only the various departments necessary for its own administration, but also great educational institutions, asylums, prisons, hospitals and reformatories.

To intelligently transact the public business on so large a scale, to provide economically, but adequately for the growth of our State and its twenty-four institutions, without imposing too heavy a burden upon our tax payers, presents a business proposition of large proportions and one which cannot, in justice to the institutions on the one hand and the tax payers on the other, be lightly regarded.

The adoption of a new fundamental law by the people at the recent election, will require the consideration of many new questions and the enactment of much new legislation. To the members of this legislature will fall the high privilege, for it is a privilege, of drafting a general charter, under and according to the terms of which, the several communities of the State may put into operation the doctrine of local self government, thereby destroying for all time in Michigan the possibility of giving away valuable franchises or forcing upon any community ill-advised and hasty legislation, without its knowledge or consent.

To my mind, it would be difficult to overstate the importance of your work as it bears upon the problem of local self government and I am constrained to believe that the place which this legislature makes for itself in the history of our State will be determined, in no small degree, by the capacity which it shows for handling this great question.

Other questions of great importance will come before you. There are the problems of reforestation and the management and disposition of our public domain; the taxation of mortgages and other credits; the taxation of telegraph and telephone companies; the regulation of the

liquor traffic; the safe-guarding of the State Treasury and State Funds; the amending of the primary election law; providing against over-capitalization of public service corporations; and the regulation of the lobby. These questions and others of State wide interest deserve your best judgment and your conscientious consideration.

Growing out of the consideration of questions of such great importance, naturally, there will arise differences of opinion. You will not see all things in exactly the same light. The Senate may not at all times agree with the House or with the Chief Executive of the State, but I trust that such disagreements, if any there should be, will always grow out of a difference in honest judgment.

In your deliberations here, and in fact, in administering all public affairs, it is important that the utmost harmony should prevail. By harmony, however, gentlemen of the Senate, I do not mean the harmony of a stagnant pool, wherein are hatched the germs of political and industrial malaria. It should be remembered by every man in public life that there is such a thing as the harmony of death and decay. The harmony which I bespeak for you and for our State Government is the harmony of progress and achievement—the harmony which comes from the triumph of right over wrong.

This legislature, like each of its predecessors, will add a new chapter to the story of Michigan. Let us write such a chapter as will be worthy of our State. Let us here resolve to contribute something worth while to the cause of self government, the spirit of which is today moving steadily forward from one conquest to another and is destined to become the ruling governmental force throughout the world.

I have sometimes thought that the idea of "Government by the People" is fairly typified by the mighty river as it sweeps majestically toward the sea, carrying on its current the burdens of men; now and then to be sure, lashed by storms, engulfing frail crafts; but nevertheless sweeping steadily forward toward its ultimate destiny and containing within itself all the cleansing properties necessary to keep it pure and clean.

Gentlemen of the Senate, in conclusion permit me to express the hope and belief that the work of this legislature will be but another testimonial to the wisdom of popular government and that when our term of office is ended and we go back to report to those who elected us and commissioned us to service, we will have no apologies to make for what we have done here, except for such conduct as may have resulted through errors in judgment.

Gentlemen of the Senate, what is your further pleasure.

Mr. Wetmore moved that the Senate take a recess until 3 o'clock, p. m. The motion prevailed, the time being 12:36 o'clock.

AFTER RECESS.

3 o'clock p. m.

The Senate was called to order by the President. A quorum of the Senate was present.

Mr. Mackay moved that the Senate proceed with the election of officers.

The motion prevailed.

The President announced that the Senate would proceed with the election of a President pro tem.

The roll of the Senate was then called and the Senators voted as follows:

PRESIDENT PRO TEM.,

For Fred R. Ming.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Tuttle
Anhut	Fowle	Newton	Ward
Barnaby	Fox	Scott	Watkins
Bates	Kingman	Shields	Weter
Bolt	Kline	Smith	Wetmore
Collins	Krueger	Snell	White
Dickinson	MacKay	Taylor	Whitney
Fairbanks	Mapes		

30

The President announced that Fred R. Ming, having received a majority of all the votes of the Senators-elect, was duly elected President pro tem. of the Senate.

The President announced that the Senate would proceed with the election of a Secretary.

The roll of the Senate was then called and the Senators voted as follows:

SECRETARY,

For Elbert V. Chilson.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Taylor
Anhut	Foster	Ming	Tuttle
Barnaby	Fowle	Moriarty	Ward
Bates	Fox	Newton	Watkins
Bolt	Kingman	Scott	Weter
Bradley	Kline	Shields	Wetmore
Collins	Krueger	Smith	White
Dickinson	MacKay	Snell	Whitney

The President announced that Elbert V. Chilson, having received a majority of all the votes of the Senators-elect, was duly elected Secretary of the Senate.

The President announced that the Senate would proceed with the election of a Sergeant-at-Arms.

The roll of the Senate was then called and the Senators voted as follows:

SEERGEANT-AT-ARMS,

For George N. Jones.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Taylor
Anhut	Foster	Ming	Tuttle
Barnaby	Fowle	Moriarty	Ward
Bates	Fox	Newton	Watkins
Bolt	Kingman	Scott	Weter
Bradley	Kline	Shields	Wetmore
Collins	Krueger	Smith	White
Dickinson	MacKay	Snell	Whitney

32

The President announced that George N. Jones, having received a majority of all the votes of the Senators-elect, was duly elected Sergeant-at-Arms of the Senate.

Elbert V. Chilson, Secretary, and George N. Jones, Sergeant-at-Arms, officers-elect, then came forward, took and subscribed the constitutional oath of office and entered upon the discharge of their duties.

The President announced that the Senate would proceed with the election of Assistant Legislative Postmaster.

The roll of the Senate was then called and the Senators voted as follows:

ASSISTANT LEGISLATIVE POSTMASTER,

For Cornelius Verberg.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Taylor
Anhut	Foster	Ming	Tuttle
Barnaby	Fowle	Moriarty	Ward
Bates	Fox	Newton	Watkins
Bolt	Kingman	Scott	Weter
Bradley	Kline	Shields	Wetmore
Collins	Krueger	Smith	White
Dickinson	MacKay	Snell	Whitney

32

The President announced that Cornelius Verberg, having received a majority of all the votes of the Senators-elect, was duly elected Assistant Legislative Postmaster.

MOTIONS AND RESOLUTIONS.

Mr. Snell offered the following resolution:

Senate resolution No. 1.

Resolved, That the President appoint a committee of three to wait upon the House and inform that body that the Senate is now in session and ready to proceed with business.

The motion prevailed.

The President appointed as such committee Senators Snell, Weter and Whitney.

Mr. Fairbanks offered the following resolution:

Senate resolution No. 2.

Resolved, That the President appoint a committee of three to wait on the Governor and inform him that the Senate is organized and ready to proceed with business.

The resolution was adopted.

The President appointed as such committee Senators Fairbanks, Krueger and Shields.

Mr. MacKay moved that the Senate take a recess until 3:40 o'clock p. m.

The motion prevailed, the time being 3:20 o'clock p. m.

AFTER RECESS.

3:40 o'clock p. m.

The Senate was called to order by the President.

A quorum of the Senate was present.

The Sergeant-at-Arms announced a committee of the Senate appointed to wait on the House and inform that body that the Senate was organized and ready to proceed with business, the Chairman of which committee reported that they had performed the duty assigned them.

The report was accepted and the committee discharged.

The Sergeant-at-Arms announced a committee of the Senate appointed to wait on the Governor and inform him that the Senate was duly organized, the chairman of which committee reported that they had performed the duty assigned them, and that the governor would communicate with the Senate in writing tomorrow at 2 o'clock. p. m.

The report was accepted and the committee discharged.

The Sergeant-at-Arms announced a Committee of the House, the chairman of which committee informed the Senate that the House was organized and ready to proceed with business.

The report was received and the committee retired.

MOTIONS AND RESOLUTIONS.

Mr. Tuttle offered the following resolution:

Senate resolution No. 3.

Resolved, That the daily sessions of the Senate commence at 2 o'clock, p. m., unless otherwise ordered.

The resolution was adopted.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
January 6, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 12.

Resolved (the Senate concurring), That the two Houses of the Legislature meet in joint convention tomorrow, January seventh, at 2 o'clock p. m., to receive the Governor's message;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING.

Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution,
The resolution was adopted.

Mr. MacKay offered the following resolution:

Senate resolution No. 4.

Whereas, Since the adjournment of the legislature of 1907, death has removed Hon. William McKay, who served as a Senator from the Twenty-first District in this Chamber.

William McKay was born in Ayrshire, Scotland, September 9, 1840. He died February 15, 1908. His career as a public servant was a long and honorable one. His first elective office was to that of Supervisor of Dayton Township, Tuscola County, in 1877, which office he held for six consecutive years. In 1882 he was elected Sheriff of Tuscola County and served four years. He began his legislative career in the House of Representatives in the session of 1889. He served in that body four terms, being elected to the Senate in 1906.

No legislator ever enjoyed a wider acquaintance nor was more popular with his colleagues than was William McKay. His friendship was keenly

sought for and highly esteemed, and his jovial nature, ready witticisms and warm handclaps were an inspiration to all with whom he came in contact. And

Whereas, His former colleagues on this floor realize the great loss his family, his district and the State at large has sustained. Therefore be it

Resolved, That we hereby declare our sense of the great loss sustained in the demise of Hon. William McKay; recognize the loyalty of his service; that we remember him as a devoted and true friend, and that among the names in legislative history his will ever remain as a synonym for usefulness, loyalty and devotion to his fellow citizens. And be it

Resolved further, That as a trifling testimonial of the life and character of the deceased and of our devotion to his memory, as well as an expression of our sympathy to his family, a copy of these resolutions suitably engrossed be prepared and transmitted to his survivors. And be it

Resolved further, As a fitting tribute to his memory, on the adoption of these resolutions the Senate adjourn for the day.

Mr. MacKay addressed the Senate as follows:

While not coming from Senator McKay's district, I feel, from the fact that William McKay was not only my clansman but also my kinsman, remote though it may be, that to me should be given the privilege of offering these resolutions. And while perhaps those of us who knew him better, though you all doubtless knew him by reputation, it may be hard to realize that he came from a race which has not only made its own little country famous, but who stand among the foremost pioneers of the world. I once saw a little squib in a paper that when the north pole is discovered a Scotchman will be found sitting upon it. I think that, perhaps, as true as anything else, shows the progressiveness of the race from which William McKay sprang. Probably no Highlander ever fought his way through life more courageously or more successfully than did William McKay. While I knew him a comparatively short time, I felt that in the death of this man I had lost more than a personal friend, and I felt then as I feel now that in the death of William McKay I have lost one who was as dear to me as though he had been my own. And to those who knew him it is easy to understand what the famous bard, born in his own Ayr, said:

"From things like these old Scotia's grandeur springs;

That makes her loved at home, revered abroad.

Princes and lords are but the breath of kings,

An honest man's the noblest work of God."

Were he in his own Strathnaver, the Pibroch would be wailing the "Lament for MacKay," and none of his clansmen ever did more honor to the slogan of his clan, "The White Banner of MacKay" than did William McKay.

And so I say to you that meeting here today as we do, we can figuratively, only, lay a wreath on the tomb of William McKay. While he sat in this chamber as in the other end of the building, he was as good a fighter as ever fought here or elsewhere and when a battle was over he had always a handshake and kindly word for all. Fight as he would, he harbored no resentment for anyone. When you realize how hard a loser a Scotchman is, you may appreciate the disposition of a man who is able to do that. I can say no more. You knew him as well

as I, but I simply wish to say that I loved and honored William McKay as I have loved and honored few men in this world.

Mr. Fox addressed the Senate as follows:

Mr. President, I am very much pleased that the Senator from Detroit presented these resolutions, because the resolutions are in behalf of a former member from the Twenty-first Senatorial District. I have been closely associated with Senator McKay for many years. In early manhood he came into Lapeer county and later came to Tuscola county, and, as the Senator has said, has filled many places of trust. He has been Supervisor of the township and afterwards Sheriff of Tuscola county. I served in the capacity of Register of Deeds across the hall and I always found Senator McKay a true citizen and a friend, one that was true to friendship. He was loyal to his duty whenever placed in any capacity of trust. He was always loyal. Senator McKay was a friend to the poor. He was a friend to everyone. Though we may have differed at some time, I believe he was honest and conscientious. Mr. President, I trust that these resolutions will be adopted.

Mr. Tuttle addressed the Senate as follows:

The love that I bore this grand old man would make it impossible for me to forego the privilege of saying a few words in support of these resolutions, but in doing this I remember that what he had to say upon the floor of this Senate was always very brief and it seems to me appropriate that what we do in his memory here today should be brief.

He was by nature a poet and when he spoke he seemed to have brought with him the poetry and the beauty of the heather-covered hills of his native country. He possessed those qualities which make one man love another and dare to trust in another. I shall always consider it one of the privileges of my life to have known William McKay and to have enjoyed his friendship. It will always be a source of pride to the district which returned him year after year to the legislature that they furnished to the State so loyal and valuable a servant.

Mr. Wetmore addressed the Senate as follows:

I most deeply regret that there should be any occasion for the offering of these resolutions because that means that Senator McKay can no longer be with us on this earth. But it is a pleasure, though a somewhat sad one, to say a word in support of the resolutions which have been presented.

As one who did not always agree with Senator McKay, I desire to say in the presence of the body of which he was a member that at no time during his membership and mine, when we were associated together, was there ever a moment in which I did not most thoroughly respect and admire my deceased colleague, and I believe that there was no time during his service here when he did not have the same feeling towards each and every one of us.

He was a good fighter and those of us who have seen him day after day occupy his seat in this Senate and knowing that every moment of that time he was suffering physical torture, can bear testimony to the heroic endurance of the man. And we would be bound to concede, even though we differed from him, that he had a strong and abiding sense

of his duty which inspired him to be here in attendance on the meetings of this body when he was physically disabled to attend, and suffering in such a way as would have driven almost any other man to his home and to his bed.

I desire to add my own testimony to that of the gentlemen who have preceded me and to support the motion made by the Senator from the third district, that these resolutions may be adopted by this Senate so that in this way only, slight though it may be, we can testify to the world at large our sincere appreciation of the splendid qualities of the man we were glad to know as our colleague.

Mr. Moriarty addressed the Senate as follows:

It was in the session of 1889 that I first met and knew Senator William McKay. During the session of that year I learned to know him and to love him. I watched his career from then until the day he died and it was with happiness that I met him as a colleague on the floor of this Senate. He was always a friend to every member of the legislature in either branch, and whether or not his judgment met with others, it made no difference when the Senate adjourned. He always had a kindly hand and kindly word for all of his colleagues. No man in Michigan had greater courage than he in public life; no man spoke with greater judgment on the questions before him to consider, and I am glad today to add a word of love for a friend whom I have had for the last twenty years, and I hope that the resolutions will be adopted.

Mr. Smith addressed the Senate as follows:

Those who have preceded me have expressed my feelings in every particular. I was very familiar with Mr. McKay in all of his legislative career, having been here before and since his career in this body, and I always had the greatest respect for him and believed him to be a man with the noblest sentiments and always with the courage to carry them out. And last session, whenever he passed back and forth here to his chair, I knew and he knew and we all knew that he was standing on the shore of that vast ocean which engulfs all of us finally, and still he had the manhood and the courage to go ahead with his legislative duties the same as the youngest Senator in the body. I always looked at him with admiration, sometimes with wonder, that he could thus pursue his course here, knowing that he felt that his days were to be only a very few.

Mr. Ming addressed the Senate as follows:

I had the pleasure of knowing Senator McKay in the House and also in the Senate. As a colleague in the House I always found his advice sound and good. Again I met him as a colleague in the Senate, and while perhaps on some questions we differed, we differed because he thought he was right. I desire to add my words in support of the resolutions.

The President addressed the Senate as follows:

It always seemed to me that Senator McKay was a well balanced man in his interests. He was interested in public affairs; he was a business man, and I know of few men whose family seemed so close to his heart as the family of Senator McKay. Those all go to make up a well

grounded man. I remember when he was serving in the House and I was at that time Superintendent of Public Instruction. I went over to the House one day and he was sitting alone reading, and I touched him on the shoulder and said, "Mr. McKay, I was up in your section of the state a few days ago and they tell me up there that they won't consider the application of any young man in a bank unless his name is 'McKay.'" The spirit of pride which I aroused in his eye flashed almost as quickly as though I had turned on an electric current. He said, "Mr. Kelley, I have been pretty fortunate in this world. I have been honored by my neighbors far beyond my deserts. I have served on the Board of Supervisors in my county for a number of years. I have been Sheriff in my county; have occupied this seat here in this legislature for something like twelve consecutive years; I have accumulated enough property to take care of myself and the mother of my children and have something left for the children when I have gone. I consider that I have made some success in life, but with all else out, my life would still have been a magnificent success because I have succeeded in bringing up a family of four boys and five girls against which no word of reproach has ever been said."

The membership in the Legislature, the ownership of property and everything else seemed to fairly die out in the thought of his nine children. A man so balanced is a distinct loss to the State when he is gone.

The question being on the adoption of the resolutions offered by Mr. MacKay,

The resolutions were unanimously adopted.

The President thereupon declared the Senate adjourned until tomorrow at 2 o'clock p. m., the time being 4:16 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

SECOND DAY.

Lansing, January 7.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—32.

MOTIONS AND RESOLUTIONS.

Mr. Collins offered the following resolution:

Senate resolution No. 5.

Resolved, That the rules of the Senate of 1907, insofar as they are not inconsistent with the revised constitution, be adopted as the temporary rules of the Senate.

The resolution was adopted.

Mr. Newton offered the following resolution:

Senate resolution No. 6.

Resolved, That the Secretary of the Senate be directed to transmit to Hon. James B. Angell, President of the University of Michigan, the sincere congratulations of the members of this body on this, his eightieth birthday, and to express to President Angell their appreciation of the valuable service rendered by him to the men and women and the homes of our State and country, and to the cause of higher education and better citizenship.

The resolution was adopted.

Mr. Collins offered the following resolution:

Senate resolution No. 7.

Resolved, That the President appoint a committee of three Senators to draft and formulate rules of procedure for the Senate, said committee to report their suggestions as soon as possible.

Mr. Wetmore moved that the resolution be laid on the table.

The motion prevailed.

Mr. Moriarty offered the following resolution:

Senate resolution No. 8.

Resolved, That the Secretary of the Senate be directed to draw an order for \$25.00 in favor of Jacob H. Newmark, Assistant Secretary of the last Senate, for services performed in preparing for and opening the present session.

The resolution was adopted.

Mr. Whitney offered the following resolution:

Senate resolution No. 9.

Resolved, That all committee clerks shall, when not employed in committee work for the committees to which they are assigned, be under the direction of the Secretary of the Senate, and at the services of the Senators for their official business.

The resolution was adopted.

Mr. MacKay offered the following resolution:

Senate resolution No. 10.

Resolved, That the reading of the daily Journal be dispensed with for this session, and that the Secretary be authorized to make all necessary corrections from day to day.

The resolution was adopted.

Mr. MacKay offered the following resolution:

Senate resolution No. 11.

Whereas, The citizens of Michigan, ever anxious for the promotion of the best interests of their loved commonwealth, have learned with feelings of intense gratification, of the advancement of Hon. Truman H. Newberry, one of Michigan's foremost citizens and prominent business men, from the position of Assistant Secretary to that of Secretary of the Navy, and

Whereas, Mr. Newberry's long service in the Michigan State Naval Brigade, his wise and statesmanlike administration of the affairs of the Navy Department as Assistant Secretary, and his devotion to duty and exceptional and well known business qualifications eminently fit him for so important a position, therefore be it

Resolved, That we, as representatives of the whole people of the State of Michigan, express to President Roosevelt our earnest approval of his selection of Mr. Newberry, believing that the conduct of national affairs will be distinguished through his attainments, and be it further

Resolved, That the congratulations of the Senate be extended to Mr. Newberry, and be it further

Resolved, That suitably engrossed copies of these resolutions be forwarded to President Roosevelt and to Mr. Newberry.

The resolutions were adopted.

Mr. Fowle offered the following resolution:

Senate resolution No. 12.

Resolved by the Senate (the House concurring), That when the Legislature adjourns Thursday, January 7, it stand adjourned until Monday, January 11, at 9 o'clock p. m.

The resolution was adopted,

The Sergeant-at-Arms announced a committee of the House, who reported that the House was in waiting and ready to meet the Senate in joint convention to receive the third inaugural message of Governor Fred M. Warner.

MOTIONS AND RESOLUTIONS.

Mr. Ming offered the following resolution:

Senate resolution No. 13.

Resolved, That the Secretary of the Senate be directed to draw an order for \$25.00 in favor of George N. Jones, Sergeant-at-Arms of the last Senate, for services performed in preparing for and opening the present session.

The resolution was adopted.

Mr. Ming offered the following resolution:

Senate resolution No. 14.

Resolved, That the Secretary of the Senate be and he is hereby authorized to purchase such towels and other supplies as are necessary to equip the Senate toilet rooms and the several committee rooms and such furniture and furnishings as are necessary for the several offices and committee rooms.

The resolution was adopted.

Mr. Kline offered the following resolution:

Senate resolution No. 15.

Resolved, That the President appoint a committee of three Senators whose duty it shall be to group the Senate Committees when appointed and assign clerks and Committee Rooms for the same.

The resolution was adopted.

The President announced as such Committee Senators Kline, Moriarty and Watkins.

Mr. Tuttle offered the following resolution:

Senate resolution No. 16.

Resolved, That the Secretary of the Senate be and he is hereby directed to invite the pastors of the several churches in the city of Lansing and other cities to open the daily sessions of the Senate with appropriate religious services.

The resolution was adopted.

Mr. Fairbanks offered the following resolution:

Senate resolution No. 17.

Resolved, That the President of the Senate be and he is hereby authorized to appoint the necessary clerks, stenographers, janitors, messengers, keepers of cloak room, document room, etc.

The resolution was adopted.

Mr. Wetmore offered the following resolution:

Senate resolution No. 18.

Resolved, That the President of the Senate be and he is hereby authorized to assign reporters of the several newspapers a desk set apart for their use.

The resolution was adopted.

The President announced that the regularly assigned representatives of the press were at liberty to occupy any desk in the Senate Chamber not already assigned.

Mr. Bolt asked and obtained leave of absence for himself from the sessions of next week.

Mr. Whitney asked and obtained leave of absence for himself from the session of Monday evening.

Mr. Weter asked and obtained leave of absence for himself from the sessions of Monday and Tuesday.

Mr. Aitkin asked and obtained leave of absence for himself from the sessions of Monday and Tuesday.

Mr. Ming asked and obtained leave of absence for himself from the session of Monday evening.

Mr. MacKay asked and obtained leave of absence for himself from the sessions of Monday and Tuesday.

Mr. Scott asked and obtained leave of absence for himself from the session of Monday evening.

The President announced that the hour had arrived for the meeting of the two Houses in joint convention to listen to the third inaugural message of Governor Fred M. Warner, as determined by concurrent resolution.

Mr. Fox moved that the Senate proceed to the Hall of the House of Representatives to meet the House in joint convention.

The motion prevailed, the time being 2:15 o'clock p. m.

(For proceedings in joint convention see House Journal.)

The Senate returned to the Senate Chamber, the time being 3:30 o'clock p. m., and was called to order by the President.

The President announced that the Senate had met the House in joint convention and had listened to the reading of the third inaugural message of Governor Fred M. Warner.

APPOINTMENT OF STANDING COMMITTEES.

Pursuant to authority vested in him by Senate Rule No. 4, the President of the Senate announced the following standing committees for the session:

- Agricultural College—Watkins, Bates, Snell.
- Agricultural Interests—Snell, Bates, Watkins.
- Apportionment—Kline, Weter, Smith, Kingman, Krueger.
- Asylum for Insane at Kalamazoo—Mapes, Whitney, Bradley.
- Asylum for Insane at Newberry—Snell, Fairbanks, White.
- Asylum for Insane at Pontiac—Barnaby, Watkins, Scott.
- Asylum for Insane at Traverse City—Fox, Fowle, Kline.
- Banks and Corporations—Kline, Mapes, Kingman, Watkins, Newton.
- Cities and Villages—Tuttle, Scott, Taylor, Kingman, Fowle.
- Claims and Public Accounts—Bradley, Tuttle, Collins.
- College of Mines—Aitkin, Foster, Anhut.
- Constitutional Amendments—Aitkin, MacKay, Anhut, Shields, Bradley.
- Counties and Townships—White, Whitney, Ward.
- Education and Public Schools—Scott, Shields, Barnaby.
- Elections—Dickinson, Newton, Whitney, Snell, Barnaby.
- Executive Business—Moriarty, Ming, Fox, Dickinson, Snell.
- Federal Relations—Wetmore, Mapes, Kingman.
- Finance and Appropriations—Smith, Bates, Kline, Fairbanks, Bradley.
- Fisheries—Ming, Watkins, Bolt, Collins, Krueger.
- Forestry—Foster, Ward, Moriarty.
- Gaming Interests—Watkins, Fairbanks, Bolt, Collins, Anhut.
- Geological Survey—Mapes, Smith, Aitkin.
- Home for Feeble Minded—Ward, Ming, Bolt.
- Horticulture—Bates, Watkins, Weter.
- Immigration—Anhut, Bradley, Fowle.
- Industrial Home for Girls—Scott, Dickinson, Smith.
- Industrial School for Boys—Newton, Moriarty, MacKay.
- Insurance—Whitney, MacKay, Wetmore, Foster, Anhut.
- Judiciary—Wetmore, Mapes, Shields, Aitkin, White.
- Labor Interests—Bradley, White, Taylor, Ward, Bolt.
- Liquor Traffic—Taylor, Wetmore, Scott.
- Michigan Employment Institution for the Blind—Bolt, Krueger, Ming.
- Michigan Reformatory—Kingman, Weter, Tuttle.
- Mining Interests—Moriarty, Collins, Whitney.
- Mechanical Interests—Bolt, Krueger, Newton.
- Military Affairs—Collins, Smith, Snell.
- Normal College—Tuttle, Kline, Kingman.
- Normal School at Kalamazoo—White, Collins, Aitkin.
- Normal School at Mt. Pleasant—Shields, Dickinson, Fox.
- Normal School at Marquette—Collins, Shields, Mapes.

Printing—Krueger, Foster, Bolt.
Public Buildings—Newton, Tuttle, Fox.
Public Health—Kingman, Fairbanks, MacKay.
Railroads—Bates, Taylor, Fowle, Aitkin, Dickinson.
Religious and Benevolent Societies—Dickinson, Fox, Bates.
Roads and Bridges—Fox, Krueger, Ward.
Rules—Shields, Kline, White.
Saline Interests—Weter, Fairbanks, Whitney.
School for the Blind—Weter, Ming, Ward.
School for the Deaf—Ward, Moriarty, Anhut.
Soldiers' Home—Smith, Wetmore, Foster.
State Affairs—MacKay, Ming, Newton, Weter, Barnaby.
State Asylum—Foster, Whitney, Weter.
State Lands—Fowle, Tuttle, Aitkin.
State Library—Anhut, Taylor, White.
State Prison at Jackson—MacKay, Moriarty, Newton.
State Prison at Marquette—Whitney, Scott, Barnaby.
State Public School—Krueger, Dickinson, Bates.
State Tuberculosis Sanatorium—Fairbanks, Bradley, Barnaby.
Supplies and Expenses—Barnaby, Kline, Smith.
Taxation—Fairbanks, Moriarty, Fox, Foster, Snell.
University—Taylor, Wetmore, Fowle.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
January 7, 1909.

To the President of the Senate:

Sir—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 12.

Resolved by the Senate (the House concurring), That when the Legislature adjourns Thursday, January 7th, it stand adjourned until Monday, January 11th, at 9:00 p. m.;

In the adoption of which the House has concurred.

Very respectfully,

PAUL H. KING.

Clerk of the House of Representatives.

The following message from the House was also received and read:

House of Representatives,
January 7, 1909.

To the President of the Senate:

Sir—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 13.

Resolved by the House (the Senate concurring), That Jonathan A. Sprague be and is hereby appointed Legislative Postmaster, and Cor-

nelius Verberg, Assistant Postmaster, for the present session of the Legislature;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution,
The resolution was adopted.

The following message from the House was also received and read:

House of Representatives,
January 7, 1909.

To the President of the Senate:

Sir—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 3.

Resolved by the House (the Senate concurring), That the Clerk of the House and the Secretary of the Senate be instructed to mail, in their discretion, copies of the daily Journal upon written request therefor; and copies to each person whose address shall be furnished them by a member of the House or Senate, but no Senator shall be allowed to furnish more than twenty-five names and no Representative more than fifteen names; and that the amount of postage on such copies of said Journal so sent out shall be paid by the State Treasurer on the warrant of the Auditor General on the presentation of bills duly certified by the Clerk of the House or the Secretary of the Senate, showing that such stamps have been purchased and used only for the payment of postage in mailing copies of the Journal hereby ordered to be distributed;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution,
The resolution was adopted.

INTRODUCTION OF BILLS.

Mr. MacKay introduced

Senate bill No. 1, entitled

A bill to establish the State Civil Service Commission, to regulate the civil service of the State of Michigan and making an appropriation therefor.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. MacKay introduced
Senate bill No. 2, entitled

A bill to amend Sections 1 and 2 of Act No. 164. of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being Sections 4639 and 4640 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Collins introduced
Senate bill No. 3, entitled

A bill to amend an act entitled "An act to authorize proceedings by garnishment in the Circuit Courts and the District Courts of the Upper Peninsula," approved March 16, 1861, by enacting a new section thereof to be numbered Section 7.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Collins introduced
Senate bill No. 4, entitled

A bill to amend section 26 of chapter 99 of the Revised Statutes of 1846, entitled "Of Pleadings and Set-off" being section 10075 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Collins introduced
Senate bill No. 5, entitled

A bill to provide for the determination of the personal liability of defendants in suits in chancery to foreclose mortgages by the original decree in such suits.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Collins introduced
Senate bill No. 6, entitled

A bill to revise the statutes relating to the powers and duties of County Clerks generally, and as clerks of the Circuit Court.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Wetmore introduced
Senate bill No. 7, entitled

A bill to provide the manner of paying the compensation of members of the legislature.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

The President announced the following appointments:

Senate Stenographer—Bertha Smith.

Chief Janitor—William Hibbard.

Janitors—James R. Murray.

Hugh A. Johnson.

N. C. Bourdingo.

Nicholas Kamp.

Leo Bednrek.

Committee Clerks—Fred J. Buck.

Harris E. Galpin.

Gertrude Valliere.

Lucy Price.

William R. Wobbrock.

Lucetta Harbour.

W. W. Anhut.

Stephen G. Eardley.

Guy W. Sharp.

Messengers—Clinton F. Adams.

Guy Fairbanks.

Don Morrison.

Ward H. Parshall.

Charles C. Bradley.

William L. Hermes, Jr.

Clifton Woodry.

Document Room Keepers—Charles H. Manzer.

Fred Ryerson.

Assistant Sergeants-at-Arms—A. J. Stroud.

Perley T. Becker.

James A. Loranger.

M. J. Fiehn.

Cloak Room Keepers—Elwood Bishop.

William Thompson.

The President announced the following appointments:

Messenger—Reed Stuart Hammond.

Stenographer—Rebecca Bailey.

Janitor—Willis Fox.

The Secretary announced the following appointments:

Assistant Secretaries—Winfred W. Murphy.

Edward R. Carpenter.

Proofreader—Grace McArron,

Assistant Proofreader—Terry T. Corliss.

Financial Clerk and Messenger—Emil Olander.

Mr. Wetmore moved that the Senate take a recess for ten minutes.
The motion prevailed, the time being 3:45 o'clock p. m.

AFTER RECESS.

3:55 o'clock p. m.

The Senate was called to order by the President.
A quorum of the Senate was present.

By unanimous consent the Senate resumed the order of

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

The Committee on Judiciary report that J. Clyde Watt has been elected Law Clerk.

FRED C. WETMORE,
Chairman.

Mr. MacKay moved that the Senate adjourn.

The motion prevailed, the time being 4:30 o'clock p. m.

The President declared the Senate adjourned until Monday, January 11, at 9 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

THIRD DAY.

Lansing, January 11.

9 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. L. I. Brancheau.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Anhut, Bates, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, Ming, Moriarty, Newton, Shields, Smith, Snell, Taylor, Tuttle, Watkins—21.

The following Senators were absent with leave: Messrs. Aitkin, Bolt, MacKay, Scott, Weter, Whitney—6.

The following Senators were absent without leave: Messrs. Barnaby, Mapes, Ward, Wetmore, White—5.

Mr. Fox asked and obtained leave of absence for Mr. Ward from tomorrow's session.

Mr. Moriarty moved that leave of absence be granted to the absentees from today's session.

The motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Smith offered the following resolution:

Senate resolution No. 19.

Resolved, That the Chairman of the Committee on Finance and Appropriations be and he is hereby authorized to send one of the members of the Committee on Tour of Inspection to each State institution asking for an appropriation, where no member of such Committee is included in the Committee accredited to such institution.

The resolution was adopted.

Cornelius Verberg, Assistant Postmaster, appeared at the bar of the Senate and took and subscribed to the constitutional oath of office.

NOTICES.

Mr. Fox gave notice that at some future day he would ask leave to introduce

A bill to tax vessels, boats and floating crafts in the State of Michigan.

INTRODUCTION OF BILLS.

Mr. Snell introduced

Senate bill No. 8, entitled

A bill to provide for the regulation of the sale by dealers and the keeping on hand by consumers of gasoline, benzine or naphtha.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Public Health.

Mr. Snell introduced

Senate bill No. 9, entitled

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils and to repeal Act No. 127, Laws of 1879, as amended by Act No. 49 of the Laws of 1881, Act No. 20 of the Laws of 1883, Act No. 71 of the Laws of 1891, and Act No. 94 of the Laws of 1893.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Public Health.

Mr. Snell introduced

Senate bill No. 10, entitled

A bill to prohibit the use of petroleum, coal or kerosene oil for illuminating and heating purposes which have been adulterated or which will emit a combustible vapor at a temperature of one hundred twenty or less degrees Fahrenheit's thermometer, and to repeal Act No. 241 of the Public Acts of 1899, entitled "An act to prohibit the use of products of petroleum for illuminating purposes, which have been adulterated, or which will emit a combustible vapor at a temperature less than one hundred twenty-one degrees Fahrenheit thermometer."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Public Health.

Mr. Kline moved that the Senate adjourn.

The motion prevailed, the time being 9:10 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FOURTH DAY.

Lansing, January 12.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. L. I. Brancheau, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Anhut, Bates, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Wetmore, White, Whitney—27.

The following Senators were absent with leave: Messrs. Aitkin, Bolt, MacKay, Weter—4.

The following Senator was absent without leave: Mr. Barnaby—1.

Mr. Tuttle moved that leave of absence be granted to Mr. Barnaby from today's session.

The motion prevailed.

Mr. Mapes asked and obtained leave of absence for Mr. Barnaby from the remaining sessions of this week on account of the death of a relative.

Mr. Fox moved that former Lieutenant Governor J. Wight Giddings be invited to address the Senate.

The motion prevailed.

The President appointed Senators Fox and Anhut a committee to escort Mr. Giddings to the chair.

Mr. Giddings then addressed the Senate.

The Senate took up the regular order of business.

MESSAGES FROM THE GOVERNOR.

The following message from the Governor was received and read:

Executive Office, Lansing.

January 12, 1909.

To the President of the Senate:

Sir—I hereby submit the following nominations to office for the consideration of the Senate:

William T. McGurkin, of Grand Rapids, Kent county, as Adjutant General, for the term of two years from and after the first day of January, 1909.

James H. Kidd, of Ionia, Ionia county, as Quartermaster General, for the term of two years, from and after the first day of January, 1909.

Carl A. Wagner, of Port Huron, St. Clair county, as Inspector General, for the term of two years, from and after the first day of January, 1909.

Arthur C. Bird, of Lansing, Ingham county, as Dairy and Food Commissioner, for the term of two years, from and after the first day of January, 1909.

Robert H. Shields, of Houghton, Houghton county, as member of the Board of State Tax Commissioners, for the term of six years, from and after the first Wednesday in January, 1909.

George Clapperton, of Grand Rapids, Kent county, as member of the State Board of Corrections and Charities, for the term of eight years, from and after the first day of January, 1909.

Charles Ranger, of Battle Creek, Calhoun county, as member of the State Board of Health, for the term of six years, from and after January 31, 1909.

Charles A. Blake, of Detroit, Wayne county, as member of the State Board of Health, for the term of six years, from and after January 31, 1909.

Fred Postal, of Detroit, Wayne county, as member of the State Board of Fish Commissioners, for the term of six years, from and after January 1, 1909.

John J. Campbell, of Pigeon, Huron county, as member of the Michigan Board of Pharmacy, for the term of five years, from and after January 1, 1909.

Frank L. Haynes, of Manistee, Manistee county, as member of the State Board of Examiners in Dentistry, for the term of three years, from and after November 11, 1908.

James MacNaughton, of Calumet, Houghton county, as member of the Board of Control of the Michigan College of Mines, for the term of six years, from and after June 9, 1909.

William Kelly, of Vulcan, Dickinson county, as member of the Board of Control of the Michigan College of Mines, for the term of six years, from and after June 9, 1909.

James Slocum, of Detroit, Wayne county, as member of the Board of Trustees of the Michigan School for the Deaf, for the term of six years, from and after January 1, 1909.

Philip Eichhorn, of Port Huron, St. Clair county, as member of the

Board of Control of the Michigan School for the Blind, for the term of six years, from and after January 1, 1909.

Townsend A. Ely, of Alma, Gratiot county, as member of the Board of Managers of the Michigan Soldiers' Home, to fill vacancy for the term ending February 28, 1913.

Frank M. Stewart, of Hillsdale, Hillsdale county, as member of the Board of Control of the State Public School, for the term of six years, from and after January 1, 1909.

Horatio S. Larned, of Lansing, Ingham county, as member of the Board of Trustees of the Industrial School for Boys, for the term of six years, from and after January 1, 1909.

Chauncey F. Cook, of Hillsdale, Hillsdale county, as member of the Board of Trustees of the Michigan Asylum for the Insane, for the term of six years, from and after the second Monday in February, 1909.

Jason E. Hammond, of Lansing, Ingham county, as member of the Board of Trustees of the Michigan Asylum for the Insane, for the term of six years, from and after the second Monday in February, 1909.

William J. Kay, of Lapeer, Lapeer county, as member of the Board of Trustees of the Eastern Michigan Asylum, for the term of six years, from and after January 1, 1909.

John G. Clark, of Bad Axe, Huron county, as member of the Board of Trustees of the Eastern Michigan Asylum, for the term of six years, from and after January 1, 1909.

Edgar S. Wagar, of Edmore, Montcalm county, as member of the Board of Trustees of the Northern Michigan Asylum, for the term of six years, from and after January 1, 1909.

Henry C. Davis, of Traverse City, Grand Traverse county, as member of the Board of Trustees of the Northern Michigan Asylum, for the term of six years, from and after January 1, 1909.

Michael J. Murphy, of Detroit, Wayne county, as member of the Board of Control of the Michigan Home for the Feeble-Minded and Epileptic, for the term of six years, from and after February 1, 1909.

James K. Flood, of Hart, Oceana county, as member of the Board of Trustees of the State Asylum, for the term of six years, from and after February 1, 1909.

Thomas J. Navin, of Detroit, Wayne county, as member of the Board of Control of the Michigan State Prison, for the term of six years, from and after February 15, 1909.

John W. Adams, of Kalamazoo, Kalamazoo county, as member of the Board of Control of the Michigan State Prison, to fill vacancy caused by the resignation of Timothy C. Quinn, to take effect January 20, 1909, for the term ending November 15, 1913.

James Scully, of Ionia, Ionia county, as member of the Michigan Railroad Commission, for the term of two years, from and after January 15, 1909.

George W. Dickinson, of Pontiac, Oakland county, as member of the Michigan Railroad Commission, for the term of four years, from and after January 15, 1909.

Cassius L. Glasgow, of Nashville, Barry county, as member of the Michigan Railroad Commission, for the term of six years, from and after January 15, 1909.

Wilbert B. Hinsdale, of Ann Arbor, Washtenaw county, as member of

the Board of Trustees of the State Sanatorium for the Care and Treatment of Persons having Tuberculosis, to fill vacancy caused by the resignation of R. S. Copeland, for the term ending August 31, 1909.

Peter Prochaska, of Greenfield, Wayne county, as member of the Board of Jury Commissioners for Wayne county, for the term of six years, from and after April 30, 1909.

Frederick C. Stoepel, of Detroit, Wayne county, as member of the Board of Jury Commissioners for Wayne county, for the term of six years, from and after April 30, 1909.

Henry E. Perry, of 243 Sheridan Ave., Detroit, Wayne county, as member of the Board of Jury Commissioners for Wayne county, to fill vacancy for the term ending April 30, 1911.

C. David Widman, of 179 Canfield Ave., Detroit, Wayne county, as member of the Board of Jury Commissioners for Wayne county, to fill vacancy for the term ending April 30, 1911.

Very respectfully,

FRED M. WARNER,
Governor.

Mr. Wetmore moved that the rules be suspended and that the nomination of Ex-Senators Ely, Flood, Glasgow and Wagar, be confirmed in open session.

Mr. Tuttle moved that the four above named nominations to office by the Governor be voted on collectively.

The motion prevailed.

The Senate then advised and consented to the foregoing four nominations to office, a majority of the Senators present voting therefor, by yeas and nays as follows:

YEAS.

Mr. Anhut	Mr. Fowle	Mr. Moriarty	Mr. Tuttle	
Bates	Fox	Newton	Ward	
Bradley	Kingman	Scott	Watkins	
Collins	Kline	Shields	Wetmore	
Dickinson	Krueger	Smith	White	
Fairbanks	Mapes	Snell	Whitney	
Foster	Ming	Taylor		27

NAYS.

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The remaining nominations to office received from the Governor were referred to the Committee on Executive Business.

The following message from the Governor was also received and read.

Executive Office, Lansing,
January 12, 1909.

To the President of the Senate:

Sir—I would respectfully report that since the adjournment of the Legis-

lature of 1907, I have made the following appointments to office that are required by statute to be confirmed by the Senate:

Edwin A. Blakeslee, of Galien, Berrien county, as member of The Advisory Board in the Matter of Pardons, for the term of six years, from and after January 1, 1908.

E. J. Rodgers, of Port Huron, St. Clair county, as member of the Michigan Board of Pharmacy, for the term of five years, from and after January 1, 1908.

Percy J. Baldwin, of Grand Rapids, Kent county, as member, of the Board of Examiners of Horseshoers, for the unexpired portion of the term ending August 4, 1910.

John M. Bagley, of Detroit, Wayne county, as member of the Board of Health of the city of Detroit, for the term of four years, from and after March 1, 1908.

William H. Jones, of Adrian, Lenawee county, as member of the State Board of Osteopathic Registration and Examination, for the term of five years, from and after May 1, 1908.

Alfred O. Jopling, of Marquette, Marquette county, as member of the Mackinac Island State Park Commission, for the unexpired portion of the term ending June 21, 1911.

Richard H. Fletcher, of Bay City, Bay county, as Commissioner of Labor, for the unexpired portion of the term ending February 28, 1909.

Charles L. Carpenter, of Grand Rapids, Kent county, as member of the State Court of Mediation and Arbitration, for the unexpired portion of the term ending May 26, 1910.

J. C. Kirkpatrick, of Escanaba, Delta county, as member of the Board of Trustees of the Upper Peninsula Hospital for the Insane, for the unexpired portion of the term ending April 16, 1911.

R. C. Ferguson, of Sault Ste. Marie, Chippewa county, as member of the Board of Trustees of the Upper Peninsula Hospital for the Insane, for the unexpired portion of the term ending April 16, 1909.

Leo M. Butzel, of Detroit, Wayne county, as member of the Mackinac Island State Park Commission, for the unexpired portion of the term ending June 21, 1915.

Ira A. Adams, of Bellaire, Antrim county, as member of the Mackinac Island State Park Commission, for the unexpired portion of the term ending June 21, 1917.

Henry F. Thomas, of Allegan, Allegan county, as member of the Advisory Board in the Matter of Pardons, for the unexpired portion of the term ending December 31, 1909.

Respectfully submitted,

FRED M. WARNER.

Governor.

Mr. Wetmore moved that the rules be suspended and that the nomination of Ex-Senator Edwin A. Blakeslee be confirmed in open session.

The motion prevailed.

The Senate then advised and consented to the nomination of Edwin A. Blakeslee, a majority of the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Fowle	Mr. Moriarty	Mr. Tuttle	
Bates	Fox	Newton	Ward	
Bradley	Kingman	Scott	Watkins	
Collins	Kline	Shields	Wetmore	
Dickinson	Krueger	Smith	White	
Fairbanks	Mapes	Snell	Whitney	
Foster	Ming	Taylor		27

NAYS.

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The remaining nominations to office received from the Governor were referred to the Committee on Executive Business.

MOTIONS AND RESOLUTIONS.

Mr. Fox offered the following resolution:

Senate resolution No. 20.

Resolved, That each committee named on State institutions select one of its members to visit said institution to determine its requirements and conditions and report the same back to the committee named on such institution.

The question being on the adoption of the resolution,

Mr. Fox moved that the resolution be laid on the table.

The motion prevailed.

REPORTS OF SELECT COMMITTEES.

The Select Committee appointed to group the Senate committees and assign rooms and clerks to the same, submit the following report and recommend its adoption:

Group No. 1. Room A:

Executive Business.

Industrial School for Boys.

Finance and Appropriations.

State Prison at Marquette.

Claims and Public Accounts.

Rules.

Gertrude Valliere, Clerk.

Group No. 2. Room B:

Banks and Corporations.

Michigan Reformatory.

Immigration.

Geological Survey.

School for the Blind.

School for the Deaf.

Mining Interests.

Lucetta Harbour, Clerk.

Group No. 3. Room C:

Judiciary.
Constitutional Amendments.
State Public School.
Saline Interests.
Printing.
Supplies and Expenses.
J. Clyde Watt, Clerk.

Group No. 4. Room E:

Cities and Villages.
Home for the Feeble Minded.
Horticulture.
Military Affairs.
Forestry.
College of Mines.
Asylum for Insane at Kalamazoo.
Fred J. Buck, Clerk.

Group No. 5. Room K:

Asylum for Insane at Newberry.
Industrial Home for Girls.
Mechanical Interests.
Liquor Traffic.
James A. Loranger, Clerk.

Group No. 6. Room H:

Railroads.
Public Health.
State Asylum.
Asylum for Insane at Pontiac.
Agricultural College.
Agricultural Interests.
Labor Interests.
Guy W. Sharp, Clerk.

Group No. 7. Room I:

Taxation.
University.
State Library.
State Prison at Jackson.
Federal Relations.
Apportionment.
W. W. Anhut, Clerk.

Group No. 8. Room L:

Counties and Townships.
State Affairs.
State Lands.
Soldiers' Home.

State Tuberculosis Sanatorium.
Asylum for Insane at Traverse City.
Wm. R. Wobbrock, Clerk.

Group No. 9. Room K:

Roads and Bridges.
Religious and Benevolent Societies.
Normal School at Kalamazoo.
Normal School at Mt. Pleasant.
Normal School at Marquette.
Normal College.
Michigan Employment Institution for the Blind.
Stephen G. Eardley, Clerk.

Group No. 10. Room G:

Gaming Interests.
Fisheries.
Elections.
Education and Public Schools.
Public Buildings.
Insurance.
Harris E. Galpin, Clerk.

FRED B. KLINE,
Chairman.

The report was accepted and adopted.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives.
January 12, 1909.

To the President of the Senate:

Sir—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 15.

Whereas, It has been the policy of this country from the beginning to maintain a small regular army, and in times of war to rely upon the patriotism of the people to rally as volunteers in defense of the national flag; and

Whereas, It is a recognized fact that the Civil War, 1861-1865, forms the most sanguinary chapter in the history of the world; that the regular army during the struggle was maintained at about 25,000 men, while the volunteers numbered more than 2,500,000 of officers and enlisted men; and

Whereas, It is a recognized fact that the union of these states was preserved and the national authority maintained by the patriotism, fortitude and valor of the volunteers, to whom this great united people now enjoying the inestimable blessings of a preserved union, owe a debt of gratitude that can never be paid; therefore

Resolved by the House of Representatives (the Senate concurring), That we request the Senators and Representatives of the 60th Congress

from the State of Michigan to aid in the prompt enactment of a law in effect creating a volunteer retired list, upon which may be placed with retired pay upon application the surviving officers of the army, navy and marines of the United States, who served with credit during the Civil War; such survivors now constituting a small remnant of that body of gallant men who led the Union forces to final victory;

Resolved further, That in our opinion the precedents of the congressional legislation fully justify the enactment of this law—namely, the acts of 1828 and 1832, granting retired pay during life to the surviving officers and enlisted men of the army, navy and marines of the Revolution; the act of 1901 retiring Charles A. Boutelle, a volunteer officer of the Union navy, with the rank and retired pay of captain of the navy; the acts of 1904, 1906 and 1907 granting increased rank and retired pay to the officers of the regular army and navy based solely on the ground that they had “served with credit during the Civil War”; and the act of 1905 providing for the retirement of two officers of volunteers, namely, Gen. Joseph R. Hawley and P. J. Osterhaus with the rank and retired pay of brigadier general;

Resolved further, That in our opinion the surviving officers of volunteers of the army, navy and marines who served with credit in the great war for the preservation of the union are entitled to receive from the national government honors and emoluments equal to those which had heretofore been bestowed upon any officers who served in time of war in defense of the country; and

Resolved further, That the Secretary of the Senate and the Clerk of the House are hereby directed to transmit a copy of these resolutions to each member of Congress from the State of Michigan;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution,
The resolution was adopted.

INTRODUCTION OF BILLS.

Mr. Collins introduced

Senate bill No. 11, entitled

A bill to amend section 5 of chapter 303 of the Compiled Laws of 1897, entitled “The Action of Ejectment,” being compiler’s section No. 10951.

The bill was read a first and second time by its title, and referred to the Committee on Judiciary.

Mr. Wetmore introduced

Senate bill No. 12, entitled

A bill making appropriations for the Northern Michigan Asylum for the Insane for building and special purposes, for the biennial period ending June 30, 1911, and to provide a tax therefor.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Northern Michigan Asylum.

Mr. Kline introduced

Senate bill No. 13, entitled

A bill to amend section 5 of Act No. 217 of the Public Acts of Michigan for the year 1897, approved May 29, 1897, entitled "An act to provide for the registration of deaths in Michigan and requiring certificates of death," being compiler's section No. 4618 of the Compiled Laws of the State of Michigan for the year 1897, as amended by Act No. 209 of the Public Acts of 1901, and approved June 6, 1901.

The bill was read a first and second time by its title, and referred to the Committee on State Affairs.

Mr. Ming introduced

Senate bill No. 14, entitled

A bill relating to the liability of common carriers in the State of Michigan to their employes.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Railroads.

Mr. Fowle introduced

Senate bill No. 15, entitled

A bill to amend section 4 of Act No. 244 of the Public Acts of the State of Michigan for the year 1907, entitled "An act to protect the title and to regulate the practice of veterinary medicine and surgery in all its various branches in the State of Michigan; providing for a State Veterinary Board and prescribing its duties; regulating existing practitioners; governing under-graduates and reciprocity with other states and provinces; prescribing penalties for its violation, and repealing all inconsistent acts," approved June 27, 1907.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Public Health.

Mr. Tuttle moved that the Senate take a recess until 3 o'clock p. m. The motion prevailed, the time being 2:45 o'clock p. m.

AFTER RECESS.

3 o'clock p. m.

The Senate was called to order by the President.

A quorum of the Senate was present.

Mr. Moriarty moved that the Senate resolve itself into Executive Session.

The motion prevailed, the time being 3:10 o'clock p. m.

The executive session closed, the time being 3:20 o'clock p. m.

The Secretary announced that the remaining nominations to office from the Governor, read to the Senate in open session, had been confirmed by the Senate in executive session.

Mr. Tuttle moved that the Senate adjourn.

The motion prevailed, the time being 3:25 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FIFTH DAY.

Lansing, January 13.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. L. I. Brancheau, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present:

Messrs. Aitkin, Anhut, Bates, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—30.

The following Senators were absent with leave: Messrs. Barnaby, Bolt—2.

MOTIONS AND RESOLUTIONS.

Mr. Kline offered the following resolution:

Senate resolution No. 21.

Resolved, That the Secretary of the Senate be instructed to draw an order for \$50.00 in favor of Elbert V. Chilson, Secretary of the last Senate, for services performed in preparing for and opening the present session.

The resolution was adopted.

Mr. Weter offered the following resolution:

Senate resolution No. 22.

Resolved, That the Committee on Supplies and Expenses be and is hereby authorized to purchase suitable spring or mineral drinking water for the use of the members of the Senate.

The resolution was adopted.

Mr. White offered the following resolution:

Senate resolution No. 23.

Resolved, That the chairman of the Committee on Judiciary be and is hereby authorized and directed to purchase for the use of said committee, the following:

The Michigan Edition of the Citator,
The Detroit Legal News,
Steven's Michigan Court Rules,
The Accumulative Michigan Digest,
The New Michigan Digest.
The resolution was adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

The Committee on Judiciary report

Senate bill No. 7 (file No. 7), entitled

A bill to provide the manner of paying the compensation of members of the Legislature;

With the following amendment thereto:

By adding to section 3, after the word "appropriated," the following:

"The Auditor General shall incorporate in the state tax for the year 1909, and every year thereafter, an amount sufficient to reimburse the general fund for the amounts appropriated in this act."

Recommend that the amendment be concurred in, and that when so amended the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the Committee on Finance and Appropriations.

NOTICES.

Mr. Fox gave notice that at some future day he would ask leave to introduce

A bill to amend the primary election law.

Mr. Fox gave notice that at some future day he would ask leave to introduce

A bill to amend and consolidate the highway laws of the State of Michigan.

Mr. Fox gave notice that at some future day he would ask leave to introduce

A bill to tax telegraph and telephone lines.

INTRODUCTION OF BILLS.

Mr. MacKay introduced

Senate bill No. 16, entitled

A bill to require the various Boards of State Institutions, within this State, using fresh meats, butter and bread stuffs, to have the same furnished by contract under certain regulations.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Aitkin introduced

Senate bill No. 17, entitled

A bill relative to the payment of deposits made with any bank or trust company in the name of two persons.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Banks and Corporations.

Mr. Aitkin introduced

Senate bill No. 18, entitled

A bill to define the territory and boundaries of school district number five, fractional, of Colfax and Meade townships in Huron county.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Bates introduced

Senate bill No. 19, entitled

A bill to authorize the Michigan Dairymen's Association to hold an annual meeting and such auxiliary meetings as may be determined by the association, and making an appropriation therefor.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Agricultural Interests.

Mr. Smith introduced

Senate bill No. 20, entitled

A bill to amend section 98a of Act 206 of the Public Acts of 1893, being "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied, making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the state, and not redeemed or purchased, and to repeal Act No. 200 of the Public Acts of 1891, and all acts and parts of acts in any wise contravening any of the provisions of this act," as amended by Act 212 of the Public Acts of 1905.

The bill was read a first and second time by its title, and referred to the Committee on Taxation.

Mr. MacKay introduced

Senate bill No. 21, entitled

A bill to amend section 1 of Act No. 337 of the Public Acts of 1907, entitled "An act regulating the loaning of money when, as security for such loan, a lien is taken upon household furniture and effects, musical instruments, typewriters and sewing machines or any other personal chattels, or any assignment or transfer of any salary or part thereof, and prescribing penalties for the violation of this act."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Shields moved that the Senate take a recess for thirty minutes. The motion prevailed, the time being 2:30 o'clock p. m.

AFTER RECESS.

3 o'clock p. m.

The Senate was called to order by the President.

A quorum of the Senate was present.

By unanimous consent the Senate returned to the order of

REPORTS OF STANDING COMMITTEES.

By the Committee on Rules:

The Committee on Rules, to whom was referred the rules of the Senate for general revision, respectfully submit the following revision of the rules, recommend that the same be printed in the Journal and the consideration thereof be made a special order for Thursday, January 14, at 2:30 o'clock p. m.

RULES OF THE SENATE.

Rule 1. The first order of business shall be the correction of the Journal of the preceding day.

PRESIDENT.

Rule 2. The President shall preside over all sessions of the Senate, or in his absence, the President pro tempore. The President, or in his absence, the President pro tem. shall have the right to name any Senator to act as presiding officer, and such Senator, during the time specified, shall exercise all the powers of the President.

Rule 3. The President shall decide all questions arising under the Senate rules and general parliamentary practice, subject to an appeal, which appeal shall be determined by a majority of the Senators present and voting.

Rule 4. The President shall appoint all committees.

SECRETARY.

Rule 5. It shall be the duty of the Secretary of the Senate to keep a correct Journal of each day's proceedings, and to have the same print-

ed and copies thereof placed upon the files of the President, Senators, reporters, and in the several committee rooms.

Rule 6. The Secretary shall appoint as assistants in the performance of the duties required of him, First and Second Assistant Secretaries, a proofreader, an assistant proofreader, a stenographer, and a financial clerk and messenger, each one of whom shall be subject to the orders of the Secretary and to summary removal by him on failure to properly perform the duties assigned him, such removal and the reasons therefor to be reported forthwith to the Senate. In case of inability of the Secretary, from sickness or other cause, to perform the duties of his office temporarily, the Assistant Secretary designated by him, shall be charged with the responsibility of the Secretary and shall perform his duties.

Rule 7. The Secretary of the Senate shall make a list of all bills, resolutions, reports of committees, and other proceedings of the Senate. All bills referred to the Committee of the Whole, and not made a special order, shall constitute the general orders, and be considered in the order of their reference, unless the Senate or Committee of the Whole shall otherwise determine. The Secretary shall prepare and place on the desk of each Senator a list of the business under each order of business each day, whenever in his judgment there is a sufficient amount of business on hand to warrant the printing of such list. As soon as may be after the announcement of the standing committees of the Senate, he shall have prepared a directory which shall show a list of the Senators, with number of the district of each, his county, home postoffice, Lansing address, nativity, and profession or occupation; a list of counties, showing Senators representing the same; a list of standing committees of the Senate, showing membership thereof; the assignment of committee rooms and the committees in each group; a list of officers and employes of the Senate; and such other matter as he deems advisable.

Rule 8. The Secretary shall each day make a file of all bills ordered to a third reading, and they shall be placed on such file in the order in which they were so ordered. He shall be responsible to the Senate for the care and preservation of every bill introduced in the Senate, and for each bill received from the House up to the time of its return to that body, which responsibility shall only be relieved by a receipt from a proper person when the bill is necessarily in the hands of a committee for consideration. When a bill has been finally passed by the two Houses he shall attend to the enrollment printing of the same, in accordance with the statute relating thereto, and present the same to the Governor, taking a receipt therefor, showing the day and hour at which each bill was deposited in the Executive Office. He shall also deposit with the Secretary of State the original of the enrolled bill and take his receipt therefor.

Rule 9. The Secretary shall number every bill in the order of its introduction. The number so given shall be known as the Senate bill number. All bills shall be printed upon the recommendation of the committee having the same in charge or upon the request of the Senator introducing the same. Every bill shall have been printed and in possession of the Senate at least five days before the vote on the final passage of the same is taken. When bills are printed the Secretary shall

give to each another number in the order in which printed. Such numbers shall be known as the file numbers. He shall also cause to be printed at the head of every bill ordered printed, the number of the same, the file number, the name of the Senator introducing the bill, the date of introduction, the committee reporting, and the character of the report.

Rule 10. The Secretary shall keep a record of all Senate bills and of all House bills received by the Senate, in which record he shall enter the title, number and name of the Senator or member introducing each such bill and the committee to whom the same is referred. He shall also make an entry therein of every disposition made of each bill and the date thereof. He shall also make an index of all bills introduced in the Senate, and of all bills received from the House referring to the same by their numbers.

SERGEANT-AT-ARMS.

Rule 11. The Sergeant-at-Arms shall be the chief police officer of the Senate. He shall have charge of the keepers of the cloak and committee rooms, janitors and messengers, and control of all police regulations. He shall attend to the heating, lighting and ventilation of the Senate Chamber, committee rooms and connecting corridors. He shall serve all subpoenas and warrants issued by the Senate or any duly authorized officer or committee. In case of sickness the President of the Senate shall name one of the Assistant Sergeants-at-Arms to perform the duties of Sergeant.

DUTIES OF SENATORS.

Rule 12. No Senator shall absent himself from the Senate without leave first obtained.

Rule 13. Smoking shall not be allowed in the Senate Chamber during the time the Senate is in session, and the presiding officer shall strictly enforce this rule.

Rule 14. Every Senator, when he arises to speak, shall address the chair, standing at his desk. No Senator shall speak more than twice in any one debate on the same day, without leave of the Senate, except chairmen of committees upon matters reported by them.

Rule 15. When two or more Senators rise at the same time, the President shall name the Senator who is first to speak.

ORDER OF BUSINESS.

Rule 16. After the correction and approval of the Journal, the order of business shall be as follows:

Messages from the Governor.

Communications from State Officers.

Presentation of Petitions.

Motions and Resolutions.

Reports of Standing Committees.

Reports of Select Committees.
Messages from the House.
Notices.
Introduction of Bills.
Unfinished Business.
Special Orders of the Day.
General Orders.
Third Reading of Bills.

STANDING COMMITTEES.

Rule 17. The following standing committees shall be appointed at the commencement of a regular session, the first-named Senator to be the chairman:

Agricultural College.
Agricultural Interests.
Apportionment.
Asylum for Insane at Kalamazoo.
Asylum for Insane at Newberry.
Asylum for Insane at Pontiac.
Asylum for Insane at Traverse City.
Banks and Corporations.
Cities and Villages.
Claims and Public Accounts.
College of Mines.
Constitutional Amendments.
Counties and Townships.
Education and Public Schools.
Elections.
Executive Business.
Federal Relations.
Finance and Appropriations.
Fisheries.
Forestry Interests and State Lands.
Gaming Interests.
Geological Survey.
Home for Feeble Minded.
Horticulture.
Immigration.
Industrial Home for Girls.
Industrial School for Boys.
Insurance.
Judiciary.
Labor Interests.
Liquor Traffic.
Mechanical Interests.
Michigan Employment Institution for the Blind.
Michigan Reformatory.
Military Affairs.
Mining Interests.
Normal College.

Normal School at Kalamazoo.
Normal School at Mt. Pleasant.
Normal School at Marquette.
Printing.
Public Buildings.
Public Health.
Railroads.
Religious and Benevolent Societies.
Roads and Bridges.
Rules and Joint Rules.
Saline Interests.
School for the Blind.
School for the Deaf.
Soldiers' Home.
State Affairs.
State Asylum.
State Library.
State Prison at Jackson.
State Prison at Marquette.
State Public School.
State Tuberculosis Sanatorium.
Supplies and Expenses.
Taxation.
University.

The following committees shall consist of five Senators: Finance and Appropriations, Judiciary, Railroads, Cities and Villages, Labor Interests, Executive Business, Apportionment, Banks and Corporations, Fisheries, Gaming Interests, Taxation, Elections, Constitutional Amendments, State Affairs and Insurance. All other committees shall consist of three members. No committee shall sit during the session of the Senate, unless with leave granted; nor employ clerks, nor incur any public expense, unless authorized by resolution of the Senate. The committees shall report upon all matters referred to them, without unnecessary delay, and shall return all petitions and other papers referred to them to the Secretary of the Senate. All nominations to office submitted by the Governor, and all other executive business, shall be referred to the Committee on Executive Business and shall be reported upon by such committee with all convenient speed. The Committee on Supplies and Expenses of the Senate shall examine all bills for supplies and expenses of Senators and committees for stationery, clerk hire and other purposes not provided for by existing laws, and certify to the correctness of the same, and no such bill shall be audited or paid by any officer of the Senate, or by any board or officer of the State, unless so certified by the chairman or other member of the committee.

Rule 18. All bills shall, on introduction, be referred to the proper committee by the President, and when reported back to the Senate shall be referred to the Committee of the Whole and placed on the general order, except bills appropriating money, which shall be referred to the Committee on Finance and Appropriations, and reported on by that committee, before being referred to the Committee of the Whole.

COMMITTEE OF THE WHOLE.

Rule 19. When the Senate shall have arrived at the "General Orders of the Day," it shall go into Committee of the Whole upon such orders, or a particular order designated by the Senate, and no business shall be in order unless the whole are considered or passed, or the committee rise; and unless a particular bill is ordered up, the Committee of the Whole shall consider, act upon or pass the general orders according to the order of their reference.

Rule 20. In forming a Committee of the Whole Senate, a chairman to be named by the President, unless otherwise ordered, shall preside.

Rule 21. The rules of the Senate shall be observed in Committee of the Whole, so far as they may be applicable, except limiting debate, ordering the previous question, and taking the yeas and nays. A motion that the committee rise shall always be in order and shall be decided without debate. Motions recommending action by the Senate shall take precedence in the same order as analogous motions in the Senate.

BILLS.

Rule 22. In all bills amending any part of the last compilation of the laws, the section or sections amended shall be referred to in the title of the bill, by the compiler's numbers, and the object of the bill shall be expressed in its title. The title of any bill amending any act if not compiled, shall refer to the section or sections amended, state the number of the act, and specify the date of its approval.

Rule 23. Every bill shall receive three readings previous to its being passed, and the President shall give notice of each, whether it be the first, second or third. No bill shall be amended or committed until it shall have been twice read.

Rule 24. All bills recommended for passage by the Committee of the Whole shall be considered as ordered to a third reading without further action.

Rule 25. All bills shall be put upon their final passage in the same order in which they are ordered to a third reading, unless the Senate shall otherwise direct.

Rule 26. The question on the final passage of all bills, which by the constitution require the assent of two-thirds of the Senators elect, shall be taken by yeas and nays, and entered on the Journal, and unless two-thirds of all the Senators elect vote in the affirmative, the bill shall be declared lost. And whenever such bill shall receive such assent of two-thirds as aforesaid, the fact thereof shall be certified upon said bill. The President shall certify the passage of all bills to the Governor.

Rule 27. No amendment shall be received for discussion at the third reading of any bill, resolution or proposed amendment of the constitution, recommended for passage by Committee of the Whole, unless seconded by a majority of the Senate, but it shall at all times be in order, before the final passage of the bill, resolution or proposed constitutional amendment, to move its commitment or recommitment.

Rule 28. When a proposed amendment to the constitution, or any bill requiring the concurrence of two-thirds of the Senators elect is under consideration, the concurrence of such two-thirds shall not be requisite to decide any question for amendment, or relating to the merits, being short of the final question, except on amendments to bills that are returned from the House of Representatives to the Senate for final action.

MOTIONS AND RESOLUTIONS.

Rule 29. No motion or resolution shall be debated until the same is stated by the chair, and it shall be reduced to writing if required by the President or any Senator, and shall be delivered in at the desk and read by the President or Secretary before the same shall be debated; but the same may be withdrawn at any time before the decision or amendment.

Rule 30. When a question is under debate, no motion shall be received but—

1. To adjourn.
2. To take a recess.
3. To lay on the table.
4. For the previous question.
5. To postpone to a day certain.
6. To commit.
7. To amend.
8. To postpone indefinitely.

Which several motions shall take precedence in the order in which they stand arranged. When a recess is taken during the pendency of any question, the consideration of such question shall be resumed upon the re-assembling of the Senate.

Rule 31. A motion to adjourn shall always be in order; that and the motion to lay on the table shall be decided without debate. A motion for recess, pending the consideration of other business, shall not be debatable.

Rule 32. If a question before the Senate is susceptible of division, the same shall be divided on the demand of any Senator.

Rule 33. When the motion is made to amend by striking out and inserting other words, the same shall be deemed indivisible, but either the words proposed to be struck out or to be inserted may be amended.

Rule 34. A decision to lay upon the table shall carry with it all questions to which it is attached, except in the case of laying an appeal on the table.

Rule 35. When a question has been once decided, it shall be in order for any Senator to move the reconsideration thereof; but no motion for the reconsideration of any vote, shall be in order unless the bill, resolution, message, report, amendment, or motion upon which the vote was taken be in the possession of the Senate; nor shall any motion for reconsideration be in order unless made on the same day the vote was taken, or within the next two days of the actual session of the Senate thereafter, nor shall any question be reconsidered more than once. A motion to reconsider the vote by which any bill shall have passed the Senate, shall require the votes of a majority of the Senators elect.

YEAS AND NAYS.

Rule 36. Any Senator shall have the right to demand the yeas and nays upon any question.

Rule 37. After the yeas and nays are called upon any question, and after the question is stated from the chair, the Secretary directed to call the roll, and the first vote given, no Senator shall be entitled to speak on the question, nor shall any motion be in order until such roll call is finished and the result declared.

INDEFINITE POSTPONEMENT.

Rule 38. A motion to postpone indefinitely the further consideration of any bill, resolution, or any other matter, shall require the votes of a majority of the Senators elect, and the vote upon such a motion shall not be reconsidered. A motion to lay on the table a motion to reconsider the vote by which any bill or resolution shall have failed to pass the Senate shall have the same effect as a motion to postpone indefinitely, and shall require the same number of votes to carry it.

CALL OF THE SENATE.

Rule 39. A call of the Senate may be ordered by a majority of the Senators present, whether a quorum or not, and in pursuance thereof the Sergeant-at-Arms, or any other person or persons duly empowered by a majority of the Senators present and voting, may be dispatched for and arrest any or all Senators absent without leave, as said majority shall agree (at the expense of such absent Senators respectively, unless such excuse shall be made for non-attendance as the Senate, when a quorum is convened, shall judge sufficient, in which case the same shall be paid as incidental expenses of the Senate). And any such Senator or Senators absent without sufficient excuse shall not be entitled to per diem allowance during the time of absence in case the Senate shall so determine.

PREVIOUS QUESTION.

Rule 40. The mode of ordering the previous question shall be as follows: Any Senator may move the previous question. This being seconded by at least one other Senator, the chair shall submit the question in this form, "Shall the main question now be put?" This shall be ordered only by a majority of the Senators present and voting. The effect of ordering the previous question shall be to instantly close debate and bring the Senate to an immediate vote on the pending question or questions in their regular order. The motion for the previous question may be limited by the mover to one or more of the questions preceding the main question itself, in which case the form shall be, "Shall the question, as limited, be now put?" The yeas and nays may be demanded on any vote under this rule, and a motion for a call of the Senate shall be in order at any time prior to the ordering of the previous question. Any

question of order or appeal from the decision of the chair, pending the previous question, shall be decided without debate. When the question is on a motion to reconsider, under the operation of the previous question, and is decided in the affirmative, the previous question shall have no operation upon the question to be reconsidered. If the Senate refuses to order the previous question, the consideration of the subject shall be resumed, as if no motion therefor had been made.

APPEALS.

Rule 41. Any Senator may appeal from any decision of the chair. On all appeals the question shall be, "Shall the decision of the chair stand as the judgment of the Senate?" Appeals shall be debatable except when the Senate is under the operation of the previous question or the decision appealed from relates to priority of business.

Rule 42. An appeal may be laid on the table, but shall not carry with it the subject matter before the Senate at the time such appeal is taken.

EXECUTIVE SESSION.

Rule 43. On motion made and carried to shut the doors of the Senate on the discussion of any business which may, in the opinion of any Senator, require secrecy, or on motion made and carried, that the Senate go into executive session the President shall direct all persons, excepting the Senators and the Secretaries and Sergeant-at-Arms, to withdraw; and during the executive session and the discussion of said motion, the doors shall remain shut, and every Senator and officer shall keep secret all such matters, proceedings and things whereof the secrecy shall be enjoined by order of the Senate.

Rule 44. Whenever the Senate shall go into consideration of executive business, the proceedings of the Senate in such business shall be kept in a separate Journal, which shall not be inspected by any others than members of the Senate, unless otherwise ordered. Such Journal shall be published after the close of the session, at the end of the regular Journal of the proceedings of the Senate, unless otherwise ordered.

CONTESTED ELECTIONS.

Rule 45. In cases of contested elections, notice setting forth the grounds of such contest shall be given by the contestant to the Senate within three days of actual session after the Senate first convenes; and in such case the contest shall be determined as speedily as reasonably possible and neither the contestee nor contestant shall have the right to draw any per diem, mileage or other allowance until such contest shall be determined, and then only the person decided to be entitled to the seat shall be paid per diem, mileage or other allowance.

MISCELLANEOUS.

Rule 46. Before any petition or memorial addressed to the Senate, shall be received and read, a brief statement of the contents thereof shall be endorsed on the same, with the name of the Senator introducing it.

Rule 47. All questions relating to the priority of business shall be decided without debate.

Rule 48. When a Senator shall be called to order he shall take his seat until the President shall have determined whether he is in order; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator; and if a Senator be called to order for words spoken, the exceptional words shall be immediately taken down in writing.

Rule 49. No person shall be admitted within the bar of the Senate, unless by invitation of the President or some of the Senators—except the Governor, State Officers, Senators and Representatives in Congress, members of the House, ex-Senators, or any former incumbents of said offices respectively.

Rule 50. At least one day's notice shall be given of a motion to amend or repeal any of the preceding rules. Rule 35 shall require for its suspension a vote of two-thirds of all the Senators-elect. Any other rule may be suspended by a vote of two-thirds of the Senators actually present.

The question being on concurring in the recommendation made by the committee,

The recommendation was concurred in, and the consideration of the proposed revision was made a special order for Thursday, January 14, 2:30 o'clock p. m.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations report

Senate bill No. 7 (file No. 7), entitled

A bill to provide the manner of paying the compensation of members of the Legislature;

With the recommendation that the bill pass.

CHARLES SMITH,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the Committee of the Whole and placed on the general order.

Mr. Ming moved that the Senate resolve itself into the Committee of the Whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Fox to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 7 (file No. 7), entitled

A bill to provide the manner of paying the compensation of members of the Legislature;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

EDWIN G. FOX,
Chairman.

The report was accepted.

The bill named in the report was placed on the order of Third Reading of Bills.

Mr. Snell asked and obtained leave of absence for himself from the sessions of Thursday and Friday.

Mr. Taylor asked and obtained leave of absence for himself from the sessions of Thursday and Friday.

Mr. Mapes moved that the Senate take a recess for ten minutes. The motion prevailed, the time being 3:20 o'clock p. m.

AFTER RECESS.

3:30 o'clock p. m.

The Senate was called to order by the President.

A quorum of the Senate was present.

By unanimous consent the Senate returned to the order of

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

The Committee on Judiciary respectfully requests that Senate bill No. 11, entitled

A bill to amend Section 5 of Chapter 303 of the Compiled Laws of 1897, entitled "The Action of Ejectment," being compiler's section No. 10,951,

Be printed for the use of the committee.

FRED C. WETMORE,
Chairman.

The question being on complying with the request of the committee,

The request was granted and the bill was ordered printed for the use of the committee.

The President announced the appointment of Theodore J. Henry as Floor Messenger.

Mr. Moriarty moved that the Senate adjourn.

The motion prevailed, the time being 3:30 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

SIXTH DAY.

Lansing, January 14.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. L. I. Brancheau, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present:

Messrs. Aitkin, Anhut, Bates, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—28.

The following Senators were absent with leave: Messrs. Barnaby, Bolt, Snell, Taylor—4.

Mr. Whitney asked and obtained leave of absence for himself from the sessions of Monday and Tuesday.

Messrs. Kingman, Kline, Scott and White asked and obtained leaves of absence for themselves from the session of Monday evening.

MOTIONS AND RESOLUTIONS.

Mr. Tuttle offered the following resolution:

Senate resolution No. 24.

Whereas, An invitation has been extended to the Senate Committee on Cities and Villages to attend a meeting of the committees of the Michigan State Bar Association, The Constitutional Convention, The Grand Rapids Board of Trade, The League of Michigan Municipalities, The Detroit Board of Commerce, and committees of other representative organizations throughout the State, to be held at Detroit, January 15, 1909, for the purpose of considering and discussing a proposed general act for the incorporation of cities; and

Whereas, The members of the Senate committee, by unanimous vote, have expressed themselves as believing that it is desirable that the members of said committee accept said invitation and avail themselves of the advantage to be derived from said meeting; now therefore be it

Resolved, That the Senate Committee on Cities and Villages be and is hereby authorized to visit the city of Detroit and attend said meeting of committees to be held on January 15, 1909.

The resolution was adopted.

Mr. Foster offered the following resolution:

Senate resolution No. 25.

Resolved, That the State Librarian be requested to furnish each member of the Senate with a set of the journals and debates of the Constitutional Convention.

The resolution was adopted.

Mr. Kingman offered the following resolution:

Senate resolution No. 26.

Resolved by the Senate (the House concurring), That when the Legislature adjourns today it stand adjourned until Monday, January 18th, at 9 o'clock p. m.

The resolution was adopted.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
January 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 24.

Resolved by the House (the Senate concurring), That the Secretary of State be requested to furnish each member and officer of the Legislature of 1909 with one set of the Compiled Laws of 1897 and one copy each of the Public Acts published since the compilation;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution,
The resolution was adopted.

INTRODUCTION OF BILLS.

Mr. Fairbanks introduced

Senate bill No. 22, entitled

A bill to amend the title and sections 1, 4, 5, 6, 8, 9, 10, 13, 14, 18 and 21 of Act No. 282 of the Public Acts of 1905, entitled "An act to provide for the assessment of the property of railroad companies, union station and depot companies, sleeping car companies, express companies, car

loaning companies, stock car companies, refrigerator car companies, and fast freight line companies, and for the levy of taxes thereon by a State Board of Assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. Fox introduced

Senate bill No. 23, entitled

A bill to amend section 6 of Act No. 66 of the Public Acts of 1901, entitled "An act for the prevention and suppression of foul brood among bees in the State of Michigan, and the inspection thereof, and to make an appropriation therefor, and to repeal Act No. 141 of the Public Acts of 1881." being sections 5663, 5664, 5665, 5666, 5667, 5668, 5669 and 5670 of the Compiled Laws of 1897.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

Mr. Watkins introduced

Senate bill No. 24, entitled

A bill making an appropriation for the Michigan State Prison for the fiscal year ending June 30, 1910, for the purpose of completing heating, lighting and power system, and to provide a tax to meet the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Prison at Jackson.

Mr. Anhut introduced

Senate bill No. 25, entitled

A bill making an appropriation for the State Board of Library Commissioners for the special purposes of defraying the expenses of organization of existing and new libraries, and for the expense of library institutes and training schools, and for the general expenses of the board for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Library.

Mr. Anhut introduced

Senate bill No. 26, entitled

A bill to provide for the purchase of books and other material for the Michigan State Library, and books and equipments for the Michigan traveling libraries, and for printing and binding, making an appropriation therefor, and to provide a tax to meet the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Library.

Mr. Watkins introduced

Senate bill No. 27, entitled

A bill to provide for the registration of and to regulate the employment of legislative lobby counsel and agents; to provide for the filing

of expense accounts of said counsel and agents; and to provide a penalty for violations of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Collins introduced

Senate bill No. 28, entitled

A bill relative to the nomination of party candidates for public office and delegates to political conventions; to regulate primary elections and to prescribe penalties for violations of its provisions.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Elections.

Mr. Collins introduced

Senate bill No. 29, entitled

A bill to amend sections 2, 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, 19, 20 and 21 of an act, entitled "An act to provide for the casting, registering, recording and counting of ballots or votes at any regular or special election held in the State of Michigan, by means of voting machines; to provide for the purchase of same, and to repeal all acts or parts of acts inconsistent herewith," being Act 287 of the Public Acts of 1907, as amended by Act No. 7 of the Extra Session Laws of 1907, and to add three sections to stand as section 7a, section 7b, and section 7c, and to repeal all acts or parts of acts inconsistent herewith.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Elections.

Mr. Kingman introduced

Senate bill No. 30, entitled

A bill in relation to the payment of deposits of money in banks and trust companies by minors, trust deposits, and deposits in the names of more than one person.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Banks and Corporations.

Mr. Anhut introduced

Senate bill No. 31, entitled

A bill to amend the title and sections 4, 5, 6, 8, 9, 10, 13, 14 and 18 of Act No. 282 of the Public Acts of 1905, entitled "An act to provide for the assessment of the property of railroad companies, union station and depot companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies and fast freight line companies, and for the levy of taxes thereon by a State Board of Assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. Tuttle introduced

Senate bill No. 32, entitled

A bill making an appropriation for the Industrial School for Boys

for the fiscal year ending June 30, 1910, for the purpose of seating and decorating the chapel and to provide a tax therefor.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Industrial School for Boys.

Mr. Smith introduced

Senate bill No. 33, entitled

A bill to amend section 1 of an act, entitled "An act to establish a State Board of Fish Commissioners, and to repeal Act No. 124, Session Laws of 1873, Act No. 71 of the Session Laws of 1875, and Act No. 3 of the Session Laws of 1882," the same being section 5833 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Fisheries.

SPECIAL ORDER.

2:30 o'clock p. m.

The President announced that the hour had arrived for the special order and laid before the Senate the report of the Committee on Rules submitted to the Senate Wednesday.

Mr. Shields moved that the Senate resolve itself into the committee of the whole on the special order.

The motion prevailed.

The President called Mr. Ming to the chair.

After some time spent therein, the committee rose and through their chairman made the following report:

The committee of the whole has had under consideration the report of the Committee on Rules, has made sundry amendments thereto, ask concurrence therein and recommend that the rules, as amended, be adopted as the Senate rules for the present legislative session.

The committee further recommends that the two opinions directed to the chairman of the Committee on Rules and read to the committee of the whole, be spread at length on the Journal.

FRED R. MING,
Chairman.

The report was accepted.

The question being on concurring in the recommendations made by the committee of the whole,

The Senate concurred and the rules, as amended, were adopted and are as follows:

RULES OF THE SENATE.

ADOPTED JANUARY 14, 1909.

Rule 1. The first order of business shall be the correction of the Journal of the preceding day.

PRESIDENT.

Rule 2. The President shall preside over all sessions of the Senate, or in his absence, the President pro tempore. The President or in his absence the President pro tem. shall have the right to name any Senator to act as presiding officer, and such Senator, during the time specified, shall exercise all the powers of the President.

Rule 3. The President shall decide all questions arising under the Senate rules and general parliamentary practice, subject to an appeal, which appeal shall be determined by a majority of the Senators present and voting.

Rule 4. The President, unless otherwise directed, shall appoint all committees.

SECRETARY.

Rule 5. It shall be the duty of the Secretary of the Senate to keep a correct Journal of each day's proceedings, and to have the same printed and copies thereof placed upon the files of the President, Senators, reporters, and in the several committee rooms.

Rule 6. The Secretary shall appoint as assistants in the performance of the duties required of him, First and Second Assistant Secretaries, a proofreader, an assistant proofreader, a stenographer, and a financial clerk and messenger, each one of whom shall be subject to the orders of the Secretary and to summary removal by him on failure to properly perform the duties assigned him, such removal and the reasons therefor to be reported forthwith to the Senate. In case of inability of the Secretary, from sickness or other cause, to perform the duties of his office temporarily, the Assistant Secretary designated by him, shall be charged with the responsibility of the Secretary and shall perform his duties.

Rule 7. The Secretary of the Senate shall make a list of all bills, resolutions, reports of committees, and other proceedings of the Senate. All bills referred to the committee of the whole, and not made a special order, shall constitute the general orders, and be considered in the order of their reference, unless the Senate or committee of the whole shall otherwise determine. The Secretary shall prepare and place on the desk of each Senator a list of the business under each order of business each day, whenever in his judgment there is a sufficient amount of business on hand to warrant the printing of such list. As

soon as may be after the announcement of the standing committees of the Senate, he shall have prepared a directory which shall show a list of the Senators, with number of the district of each, his county, home postoffice, Lansing address, nativity, and profession or occupation; a list of counties, showing Senators representing the same; a list of standing committees of the Senate, showing membership thereof; the assignment of committee rooms and the committees in each group; a list of officers and employes of the Senate; and such other matter as he deems advisable.

Rule 8. The Secretary shall each day make a file of all bills ordered to a third reading, and they shall be placed on such file in the order in which they were so ordered. He shall be responsible to the Senate for the care and preservation of every bill introduced in the Senate, and for each bill received from the House up to the time of its return to that body, which responsibility shall only be relieved by a receipt from a proper person when the bill is necessarily in the hands of a committee for consideration. When a bill has been finally passed by the two Houses he shall attend to the enrollment printing of the same, in accordance with the statute relating thereto, and present the same to the Governor, taking a receipt therefor, showing the day and hour at which each bill was deposited in the Executive Office. He shall also deposit with the Secretary of State the original of the enrolled bill and take his receipt therefor.

Rule 9. The Secretary shall number every bill in the order of its introduction. The number so given shall be known as the Senate bill number. All bills shall be printed upon the recommendation of the committee having the same in charge or upon the request of the Senator introducing the same. Every bill shall have been printed and in possession of the Senate at least five days before the vote on the final passage of the same is taken. Notice of such printing and filing in the Document Room of the Senate shall be reported by the Secretary each day and entered on the Journal. When bills are printed the Secretary shall give to each another number in the order in which printed. Such numbers shall be known as the file numbers. He shall also cause to be printed at the head of every bill ordered printed, the number of the same, the file number, the name of the Senator introducing the bill, the date of introduction and if reported by a committee, the name of the committee reporting, and the character of the report.

Rule 10. The Secretary shall keep a record of all Senate bills and of all House bills received by the Senate, in which record he shall enter the title, number of the bill and the name of the Senator or member introducing each such bill and the committee to whom the same is referred. He shall also make an entry therein of every disposition made of each bill and the date thereof. He shall also make an index of all bills introduced in the Senate, and of all bills received from the House referring to the same by their numbers.

SERGEANT-AT-ARMS.

Rule 11. The Sergeant-at-Arms shall be the chief police officer of the Senate. He shall have charge of the keepers of the cloak and committee

rooms, janitors and messengers, and control of all police regulations. He shall attend to the heating, lighting and ventilation of the Senate Chamber, committee rooms and connecting corridors. He shall serve all subpoenas and warrants issued by the Senate or any duly authorized officer or committee. In case of sickness the President of the Senate shall name one of the Assistant Sergeants-at-Arms to perform the duties of Sergeant.

DUTIES OF SENATORS.

Rule 12. No Senator shall absent himself from the Senate without leave first obtained.

Rule 13. Smoking shall not be allowed in the Senate Chamber during the time the Senate is in session, except in committee of the whole, and the presiding officer shall strictly enforce this rule.

Rule 14. Every Senator, when he arises to speak, shall address the chair, standing at his desk. No Senator shall speak more than twice in any one debate on the same day, without leave of the Senate, except chairmen of committees upon matters reported by them.

Rule 15. When two or more Senators rise at the same time, the President shall name the Senator who is first to speak.

ORDER OF BUSINESS.

Rule 16. After the correction and approval of the Journal, the order of business shall be as follows:

Messages from the Governor.

Communications from State Officers.

Announcements from the Secretary.

Presentation of Petitions.

Motions and Resolutions.

Reports of Standing Committees.

Reports of Select Committees.

Messages from the House.

Notices.

Introduction of Bills.

Unfinished Business.

Special Orders of the Day.

General Orders.

Third Reading of Bills.

STANDING COMMITTEES.

Rule 17. The following standing committees shall be appointed at the commencement of a regular session, the first-named Senator to be the chairman:

Agricultural College.

Agricultural Interests.

Apportionment.

Asylum for Insane at Kalamazoo.

Asylum for Insane at Newberry.
Asylum for Insane at Pontiac.
Asylum for Insane at Traverse City.
Banks and Corporations.
Cities and Villages.
Claims and Public Accounts.
College of Mines.
Constitutional Amendments.
Counties and Townships.
Education and Public Schools.
Elections.
Executive Business.
Federal Relations.
Finance and Appropriations.
Fisheries.
Forestry Interests and State Lands.
Gaming Interests.
Geological Survey.
Home for Feeble Minded.
Horticulture.
Immigration.
Industrial Home for Girls.
Industrial School for Boys.
Insurance.
Judiciary.
Labor Interests.
Liquor Traffic.
Mechanical Interests.
Michigan Employment Institution for the Blind.
Michigan Reformatory.
Military Affairs.
Mining Interests.
Normal College.
Normal School at Kalamazoo.
Normal School at Mt. Pleasant.
Normal School at Marquette.
Printing.
Public Buildings.
Public Health.
Railroads.
Religious and Benevolent Societies.
Roads and Bridges.
Rules and Joint Rules.
Saline Interests.
School for the Blind.
School for the Deaf.
Soldiers' Home.
State Affairs.
State Asylum.
State Library.
State Prison at Jackson.

State Prison at Marquette.

State Public School.

State Tuberculosis Sanatorium.

Supplies and Expenses.

Taxation.

University and Psychopathic Ward.

The following committees shall consist of five Senators: Finance and Appropriations, Judiciary, Railroads, Cities and Villages, Labor Interests, Executive Business, Apportionment, Banks and Corporations, Fisheries, Gaming Interests, Taxation, Elections, Constitutional Amendments, State Affairs and Insurance. All other committees shall consist of three members. No committee shall sit during the session of the Senate, unless with leave granted; nor employ clerks, nor incur any public expense, unless authorized by resolution of the Senate. The committees shall report upon all matters referred to them, without unnecessary delay, and shall return all petitions and other papers referred to them to the Secretary of the Senate. All nominations to office submitted by the Governor, and all other executive business, shall be referred to the Committee on Executive Business and shall be reported upon by such committee with all convenient speed. The Committee on Supplies and Expenses of the Senate shall examine all bills for supplies and expenses of Senators and committees for stationery, clerk hire and other purposes not provided for by existing laws, and certify to the correctness of the same, and no such bill shall be audited or paid by any officer of the Senate, or by any board or officer of the State, unless so certified by the chairman or other member of the committee. No motion or resolution calling for an appropriation or expenditure of money shall be acted upon by the Senate without first having been referred to some appropriate committee for its consideration and recommendation.

Rule 18. All bills shall, on introduction, be referred to the proper committee by the President, and when reported back to the Senate shall be referred to the committee of the whole and placed on the general order, except bills appropriating money, which shall be referred to the Committee on Finance and Appropriations, and reported on by that committee, before being referred to the committee of the whole.

Rule 19. When the Senate shall have arrived at the "General Orders of the Day," it shall go into committee of the whole upon such orders, or a particular order designated by the Senate, and no business shall be in order unless the whole are considered or passed, or the committee rise; and unless a particular bill is ordered up, the committee of the whole shall consider, act upon or pass the general orders according to the order of their reference.

Rule 20. In forming a committee of the whole Senate, a chairman to be named by the President, unless otherwise ordered, shall preside.

Rule 21. The rules of the Senate shall be observed in committee of the whole, so far as they may be applicable, except limiting debate, ordering the previous question, and taking the yeas and nays. A motion that the committee rise shall always be in order and shall be decided without debate. Motions recommending action by the Senate shall take precedence in the same order as analogous motions in the Senate.

BILLS.

Rule 22. At least one day's notice shall be given of the introduction of any bill amending an Act of Incorporation. All bills introduced shall be accompanied by a true copy, and in all bills amending existing laws changes or new matter shall be placed in brackets, and matter which has been omitted shall be indicated by three asterisks.

Rule 23. In all bills amending any part of the last compilation of the laws, the section or sections amended shall be referred to in the title of the bill, by the compiler's numbers, and the object of the bill shall be expressed in its title. The title of any bill amending any act if not compiled, shall refer to the section or sections amended, state the number of the act, and specify the date of its approval.

Rule 24. Every bill shall receive three readings previous to its being passed, and the President shall give notice of each, whether it be the first, second or third. No bill shall be amended or committed until it shall have been twice read.

Rule 25. All bills recommended for passage by the committee of the whole shall be considered as ordered to a third reading without further action.

Rule 26. All bills shall be put upon their final passage in the same order in which they are ordered to a third reading, unless the Senate shall otherwise direct.

Rule 27. The question on the final passage of all bills, which by the constitution require the assent of two-thirds of the Senators-elect, shall be taken by yeas and nays, and entered on the Journal, and unless two-thirds of all the Senators-elect vote in the affirmative, the bill shall be declared lost. And whenever such bill shall receive such assent of two-thirds as aforesaid, the fact thereof shall be certified upon said bill. The President shall certify the passage of all bills to the Governor.

Rule 28. No amendment shall be received for discussion at the third reading of any bill, resolution or proposed amendment of the constitution, recommended for passage by committee of the whole, unless seconded by a majority of the Senate, but it shall at all times be in order, before the final passage of the bill, resolution or proposed constitutional amendment, to move its commitment or recommitment.

Rule 29. Proposals for amendments to the constitution should be by concurrent resolution and when a proposed amendment to the constitution, or to any bill requiring the concurrence of two-thirds of the Senators-elect is under consideration, the concurrence of such two-thirds shall not be requisite to decide any question for amendment, or relating to the merits, being short of the final question, except on amendments to bills that are returned from the House of Representatives to the Senate for final action.

MOTIONS AND RESOLUTIONS.

Rule 30. No motion or resolution shall be debated until the same is stated by the chair, and it shall be reduced to writing if required by the President or any Senator, and shall be delivered in at the desk and read by the President or Secretary before the same shall be debated; but the same may be withdrawn at any time before the decision or amendment.

Respectfully reports that it has had the same under consideration, and reports the same back to the Senate with the recommendation that the resolution be adopted.

J. D. M. MacKAY,
Chairman.

The question being on the adoption of the resolution,
The resolution was adopted.

Pursuant to the foregoing resolution, the President appointed as the committee thereon Senators Ward, Weter, Anhut.

By the Committee on Taxation:
The Committee on Taxation report
Senate bill No. 20, entitled

A bill to amend section 98a of Act 206 of the Public Acts of 1893, being "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied, making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State, and not redeemed or purchased, and to repeal Act No. 200 of the Public Acts of 1891, and all acts and parts of acts in any wise contravening any of the provisions of this act," as amended by Act 212 of the Public Acts of 1905;

With the recommendation that the bill pass.

EARL FAIRBANKS,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

Mr. Aitkin moved that the Senate adjourn.

The motion prevailed, the time being 3:20 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

NINTH DAY.

Lansing, January 20.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. Wm. C. Hicks, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present:

Messrs. Aitkin, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—29.

The following Senators were absent with leave: Messrs. Anhut, MacKay—2.

The following Senator was absent without leave: Mr. Snell—1.

Mr. Moriarty moved that leave of absence be granted to the absentee from today's session.

The motion prevailed.

COMMUNICATIONS FROM STATE OFFICERS.

Executive Office,
Lansing, January 20, 1909.

To the President of the Senate:

Sir—I hereby submit the following nominations for the consideration of the Senate:

Mrs. Anna A. Palmer, of Saginaw, Saginaw county, as member of the Board of Guardians of the Industrial Home for Girls, for the term of six years, from and after June 1, 1909.

T. F. Marston, of Bay City, Bay county, as member of the State Live Stock Sanitary Commission, to fill vacancy caused by the resignation of John McKay, for the term ending the second Monday in July, 1909, and also for the term of six years, beginning the second Tuesday of July, 1909.

Henry H. Chatters, of Flushing, Genesee county, as member of the Board of Trustees of the Michigan Employment Institution for the Blind, for the term of six years, from and after January 1, 1909.

Very respectfully,

FRED M. WARNER,
Governor.

The message was referred to the Committee on Executive Business.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that
Senate bill No. 28 (file No. 25);
Senate bill No. 29 (file No. 26);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

The Committee on Judiciary report
Senate bill No. 27 (file No. 24), entitled

A bill to provide for the registration of and to regulate the employment of legislative lobby counsel and agents; to provide for the filing of expense accounts of said counsel and agents; and to provide a penalty for violations of this act;

With the following amendment thereto:

By inserting in line 12 of section 1 after the word "is" the words "to be."

Recommend that the amendment be concurred in, and that when so amended the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

Mr. Wetmore moved that the bill be made a Special Order for Tuesday, January 26, at 2:30 o'clock p. m.

The motion prevailed.

INTRODUCTION OF BILLS.

Mr. Fowle introduced

Senate bill No. 39, entitled

A bill to amend section 1 of Act No. 17 of the Public Acts of 1903, entitled "An act to amend the title and sections 1 and 29 of an act, entitled 'An act to establish, protect and enforce by lien the rights of mechanics and other persons furnishing labor or materials for building, altering, improving, repairing, erecting or ornamenting of buildings, machinery, wharves, and all other structures, and to repeal all acts contravening the provisions of this act,' being chapter 296 of the Compiled Laws of the State of Michigan of 1897," approved March 26, 1903.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. White introduced
Senate bill No. 40, entitled

A bill to amend section 8 of chapter 16 of the Revised Statutes of 1846, entitled "On the powers and duties of townships, and election and duties of township officers," said section being 2275 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Counties and Townships.

Mr. Kingman introduced
Senate bill No. 41, entitled

A bill to amend section 7 of Act No. 6 of the Public Acts of 1907, Extra Session, entitled "An act to define, and to regulate the treatment and control of dependent, neglected and delinquent children; to prescribe the jurisdiction of the probate court and the powers, duties and compensation of the probate judges with regard thereto; to provide for the appointment of county agents and probation officers and to prescribe their powers, duties and compensation."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Kingman introduced
Senate bill No. 42, entitled

A bill to amend sections 5 and 9 of Act No. 143 of the Public Acts of 1903, entitled "An act to provide for the government, management and control of the State Public School at Coldwater, and to repeal all acts or parts of acts inconsistent with this act," as amended by Act No. 301 of the Public Acts of 1907, and to add a new section to said Act No. 143.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Public School.

Mr. Ming introduced
Senate bill No. 43, entitled

A bill to make appropriations for the State Public School for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Public School.

Mr. Ming introduced
Senate bill No. 44, entitled

A bill to regulate and license in the townships, villages and cities of this State, in addition to the State tax required for the same, the business of manufacturing, selling, keeping for sale, furnishing, giving or delivering spirituous and intoxicating liquors, and malt, brewed or fermented liquors and vinous liquors and to give the township board of townships and the common council of cities and villages within this State the power to regulate and prescribe the location of saloons in which such business shall be conducted, and to limit and restrict the number of

such saloons or places for the sale of spirituous and intoxicating liquors, and malt, brewed or fermented liquors, and vinous liquors within such township, village or city.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Liquor Traffic.

Mr. Fowle introduced

Senate bill No. 45, entitled

A bill making an appropriation for the Mackinac Island State Park for various purposes for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Dickinson introduced

Senate bill No. 46, entitled

A bill to regulate and in certain cases to prohibit the manufacture, sale, keeping, keeping for sale, owning, or giving away of cigarettes, cigarette paper, cigarette wrappers and other substitutes for the same, and providing penalties for the violation thereof.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

Mr. Dickinson introduced

Senate bill No. 47, entitled

A bill to provide for the enforcement of laws regulating, restricting or prohibiting the manufacture or sale of intoxicating liquors as a beverage, or the keeping of any place for the manufacture or sale of such liquors.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Liquor Traffic.

Mr. Dickinson introduced

Senate bill No. 48, entitled.

A bill to regulate the manufacture, use and sale of cigarettes.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

Mr. Fowle introduced

Senate bill No. 49, entitled

A bill to amend section 2 of Act 222 of the Public Acts of 1895, entitled "An act to provide for the appointment of a board of commissioners who shall have the management and control of the Mackinac Island State Park, and defining its powers and duties," being section 1258 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. White introduced

Senate bill No. 50, entitled

A bill fixing the time when members of the State Board of Education shall be elected.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Moriarty moved that the Senate take a recess until 2:30 o'clock p. m.

The motion prevailed, the time being 2:15 o'clock p. m.

—
AFTER RECESS.

2:30 o'clock p. m.

The Senate was called to order by the President.
A quorum of the Senate was present.

By unanimous consent the Senate took up to the order of

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
January 20, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 35.

Resolved by the House (the Senate concurring), that the Committees on Rules of the House and Senate be instructed to revise the Joint Rules of the Senate and the House of Representatives, and the rules in joint convention;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution,
The resolution was adopted.

Mr. Moriarty moved that the Senate resolve itself into

EXECUTIVE SESSION.

The motion prevailed, the time being 2:45 o'clock p. m.

The executive session closed, the time being 2:55 o'clock p. m.

The Secretary announced that the nominations to office from the Governor, read to the Senate in open session, had been confirmed by the Senate in executive session.

Mr. Moriarty moved that the Senate adjourn.

The motion prevailed, the time being 3 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

TENTH DAY.

Lansing, January 21.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. Wm. C. Hicks, of Lansing. The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Barnaby, Bates, Bolt, Bradley, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—28.

The following Senator was absent with leave: Mr. MacKay.

The following Senators were absent without leave: Messrs. Anhut, Collins, Snell—3.

Mr. Moriarty moved that leave of absence be granted to the absentees from today's session.

The motion prevailed.

Messrs. Bradley, Kingman, Kline, Scott, Ward, Watkins, White asked and obtained leaves of absence for themselves from Monday evening's session.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that Senate bill No. 30 (file No. 27);

Has this day been received from the printer and is on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS.

Mr. Bradley offered the following resolution:
Senate resolution No. 30.

Resolved by the Senate (the House of Representatives concurring), That the Auditor General be, and is hereby respectfully requested, to

furnish the Legislature, at his earliest convenience, a statement of the condition of the State Treasury as of January 1, 1909; also an estimate of the probable receipts and disbursements of the State government from January 1, 1909, to December 31, 1909, inclusive.

The resolution was adopted.

Mr. Weter offered the following resolution:

Senate resolution No. 31.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns today it stand adjourned until Monday, January 25, at 9 o'clock p. m.

The resolution was adopted.

Mr. Smith offered the following resolution:

Senate resolution No. 32.

Resolved, That the following named standing and select committees of the Senate and the named officers of the Senate, be and they are hereby authorized and directed to officially visit the several State institutions and other places to which they are accredited, at State expense:

The committee on State institutions, their respective institutions;

The committee on Fisheries, the several fish hatcheries in the State;

The committee on Mining Interests and Geological Survey, the copper and iron regions of the State;

The committee on Investigation of Waterways, such places as they may deem necessary to properly conduct said investigation;

The Sergeant-at-Arms of the Senate, who shall have charge of the itinerary and the necessary arrangements for the standing committees;

The Secretary of the Senate, who shall have charge of all papers, summonses, testimony taken by and the reports of the Select Committee on Investigation of Waterways;

Win. W. Murphy, who shall be official stenographer to the Select Committee on Investigation of Waterways, and be it

Resolved further, That each member of said committees and the officers named in this resolution who shall incur any expense pursuant to the provisions of the resolution, shall certify to his actual and necessary expenses and be reimbursed therefor upon presentation to the President of the Senate of a duly verified voucher of such expense or expenses.

The resolutions were referred to the Committee on Finance and Appropriations

Mr. Foster offered the following resolution:

Senate resolution No. 33.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate and the Clerk of the House of Representatives be instructed to mail copies of the daily Journals in addition to provisions heretofore made, to each county officer of the several counties in this State, and to each circuit judge in the State, whose name is not on one of the mailing lists already submitted, or who has not requested the mailing of the Journal to himself; that the burden of the distribution be borne equally by said Secretary and said Clerk; and that the payment of postage necessary to carry out the instructions of this

resolution be made in a like manner as is now provided for the payment of postage on Journals.

The resolution was referred to the Committee on Finance and Appropriations.

Mr. Scott offered the following resolution:

Senate resolution No. 34.

Resolved, That Senator Kingman be and he is hereby authorized to take the place of Senator Scott on the Committee on State Prison at Marquette on the occasion of the visit of said committee to the above named institution, under the proper authorization of the Senate.

The resolution was adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on Rules:

The Committee on Rules and Joint Rules, in accordance with House Resolution No. 34, concurred in Wednesday by the Senate, reports that it has met with the Committee on Rules and Joint Rules of the House; that the two committees have agreed to recommend the adoption of certain concurrent resolutions relative to the joint rules and rules in Joint Convention, that such resolutions will first be reported to the House and then transmitted to the Senate for concurrence. The committee recommends that upon their receipt from the House the concurrent resolutions herein referred to be concurred in by the Senate.

FRANCIS J. SHIELDS,
Chairman.

The report was accepted and adopted and the committee discharged.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations report

Senate bill No. 24 (file No. 21), entitled

A bill making an appropriation for the Michigan State Prison for the fiscal year ending June 30, 1910, for the purpose of completing heating, lighting and power system, and to provide a tax to meet the same;

With the following amendments thereto:

1. By striking out of line 2 of section 1 the words "thirty six" and inserting in lieu thereof the words "forty three."

2. By inserting in line 4 of section 1 after the word "system" the following proviso: "Provided that the sum of twelve thousand five hundred dollars of the forty three thousand dollars herein appropriated shall not become available until March first, 1910."

3. By inserting in line 4 of section 1 after the word "provided" the word "further."

4. By inserting in line 7 of section 1 after the word "use" the words: "Not exceeding in amount the sum of thirty thousand five hundred dollars."

5. By striking out of line 2 of section 3 the words "thirty six" and inserting in lieu thereof the words "forty three."

Recommend that the amendments be concurred in, and that when so amended the bill pass.

CHARLES SMITH,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Smith moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

Mr. Mapes moved that the Senate take a recess until 2:30 o'clock p. m. The motion prevailed, the time being 2:20 o'clock p. m.

AFTER RECESS.

2:30 o'clock p. m.

The Senate was called to order by the President.
A quorum of the Senate was present.

By unanimous consent the Senate resumed the order of

REPORTS OF STANDING COMMITTEES.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations report

Senate resolution No. 32, relative to the visit of standing committees and the Sergeant-at-Arms to State institutions and the visit of the Select Committee on the Investigation of Waterways, and other named officers to such places as may be deemed necessary;

With the recommendation that the resolution be adopted.

CHARLES SMITH,
Chairman.

The report was accepted and adopted and the committee discharged. The resolution was then adopted.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations report

Senate resolution No. 33, relative to mailing the Senate and House Journals to county officers and circuit judges;

With the recommendation that the resolution be adopted.

CHARLES SMITH,
Chairman.

The report was accepted and adopted and the committee discharged. The resolution was then adopted.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
January 21.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 31.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns today it stand adjourned until Monday, January 25, at 9 o'clock p. m.;

In the adoption of which the House has concurred.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The following message from the House was also received and read:

House of Representatives,
January 21.

To the President of the Senate:

Sir:—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 34.

Resolved by the House (the Senate concurring), That the Clerk of the House and the Secretary of the Senate be instructed to mail copies of the daily Journal to the lecturers of all subordinate granges in the State;

Which was adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution, Mr. Mapes moved that the rules be suspended and that the resolution be placed upon its immediate passage.

The motion prevailed.

The resolution was then adopted.

INTRODUCTION OF BILLS.

Mr. Kline introduced

Senate bill No. 51, entitled

A bill to provide for the election of a Superintendent of Public Instruction.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Kline introduced

Senate bill No. 52, entitled

A bill to amend section 7 of chapter 12 of the Revised Statutes of 1846, as amended, the same being compiler's section No. 77 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Messrs. Barnaby and Mapes introduced

Senate bill No. 53, entitled

A bill to amend sections 1, 12 and 25 of Act No. 326 of the Local Acts of 1903, entitled "An act to provide for the nomination of candidates for election by popular vote and relating to primary elections in Kent county," approved March 17, 1903, as amended by Act No. 728 of the Local Acts of 1907, entitled "An act to amend section 1 of Act No. 326 of the Local Acts of 1903, entitled 'An act to provide for the nomination of candidates for election by popular vote and relating to primary elections in Kent county,' " approved June 27, 1907.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Elections.

Mr. Kingman introduced

Senate bill No. 54, entitled

A bill to amend section 1 of Act No. 217 of the Public Acts of 1899, entitled "An act to amend section 1 of Act No. 145 of the Public Acts of 1887, entitled 'An act to regulate the use of steam engines, steam wagons or other vehicles, which are in whole or in part operated by steam, on the public highways of this State, and to prohibit the blowing of steam whistles upon the public highways of this State,' being section 5543 of the Compiled Laws of 1897," as amended by Act No. 71 of the Public Acts of 1903.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Roads and Bridges.

Mr. Wetmore introduced

Senate bill No. 55, entitled

A bill to regulate the depositing of surplus State funds in the State Treasury.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Wetmore introduced

Senate bill No. 56, entitled

A bill to provide for the publication, distribution and preservation of the manual of the Michigan Constitutional Convention of 1907; and prescribing the duties of the State Librarian appertaining thereto.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Library.

Mr. Bates introduced

Senate bill No. 57, entitled

A bill to prevent fraud in the sale of Paris green, London purple or other drugs used as insecticides.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Horticulture.

Mr. Bates introduced

Senate bill No. 58, entitled

A bill to regulate the sale of agricultural seeds and fruit trees.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Horticulture.

Mr. Fowle introduced

Senate bill No. 59, entitled

A bill to provide for the incorporation of cities and for the adoption, revision and amendment of city charters in this State.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Cities and Villages.

Mr. Aitkin introduced

Senate bill No. 60, entitled

A bill to amend sections 24 and 27 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking, and to establish a banking department for the supervision of such business," and acts amendatory thereof, being sections 6113 and 6116 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Banks and Corporations.

Mr. Aitkin moved that 250 extra copies of the above entitled bill be printed for the use of the committee.

The motion prevailed.

By unanimous consent the Senate resumed the order of

MOTIONS AND RESOLUTIONS.

Mr. Moriarty offered the following resolution:

Senate resolution No. 35.

Resolved by the Senate (the House of Representatives concurring), That the Attorney General be and he is hereby authorized and empowered to appoint a messenger for his office to serve during the session of the Legislature.

The question being on the adoption of the resolution,

Mr. Moriarty moved that the resolution be laid on the table.

The motion prevailed.

Mr. Wetmore moved that the Senate take a recess until 3 o'clock p. m. The motion prevailed, the time being 2:50 o'clock p. m.

AFTER RECESS.

3 o'clock p. m.

The Senate was called to order by the President.
A quorum of the Senate was present.

By unanimous consent the Senate resumed the order of

MOTIONS AND RESOLUTIONS.

Mr. Moriarty offered the following resolution:

Senate resolution No. 36.

Resolved by the Senate, That the President of the Senate, upon the recommendation of the Attorney General, be and he is hereby authorized to appoint a messenger whose duty it shall be to serve during the sessions of the Legislature in legislative matters pertaining to the office of the Attorney General.

Mr. Moriarty moved that the rules be suspended and that the resolution be placed upon its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Mapes moved that the Senate adjourn.

The motion prevailed, the time being 3:10 o'clock p. m.

The President declared the Senate adjourned until Monday, January 25, at 9 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

ELEVENTH DAY.

Lansing, January 25.

9 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Shields, Smith, Snell, Taylor, Tuttle, Watkins, Weter, Wetmore—26.

The following Senators were absent with leave: Messrs. Kingman, Kline, Scott, Ward, White—5.

The following Senator was absent without leave: Mr. Whitney—1.

Mr. MacKay moved that leave of absence be granted to the absentee from today's session.

The motion prevailed.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that

Senate bill No. 31 (file No. 28);
Senate bill No. 32 (file No. 29);
Senate bill No. 33 (file No. 30);
Senate bill No. 34 (file No. 31);
Senate bill No. 35 (file No. 32);
Senate bill No. 36 (file No. 33);
Senate bill No. 37 (file No. 34);
Senate bill No. 13 (file No. 35);
Senate bill No. 20 (file No. 36);
Senate bill No. 39 (file No. 37);
Senate bill No. 40 (file No. 38);
Senate bill No. 41 (file No. 39);
Senate bill No. 42 (file No. 40);
Senate bill No. 43 (file No. 41);
Senate bill No. 44 (file No. 42);
Senate bill No. 45 (file No. 43);
Senate bill No. 47 (file No. 44);
Senate bill No. 49 (file No. 45);
Senate bill No. 50 (file No. 46);
Senate bill No. 51 (file No. 47);

Senate bill No. 52 (file No. 48);
Senate bill No. 53 (file No. 49);
Senate bill No. 54 (file No. 50);
Senate bill No. 55 (file No. 51);
Senate bill No. 56 (file No. 52);
Senate bill No. 57 (file No. 53);
Senate bill No. 58 (file No. 54);
Senate bill No. 59 (file No. 55);
Senate bill No. 60 (file No. 56);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

The Secretary read the following communication:

University of Michigan, Ann Arbor.
January 18, 1909.

Mr. E. V. Chilson, Secretary of the Senate, Lansing, Mich.:

Dear Sir:—I have received a copy of the resolution which the Senate kindly adopted extending to me their congratulations on my birthday. May I through you return to them my sincere thanks for having paused in their deliberations long enough to think of me with such kindly expressions of appreciation of what I have endeavored to do for the State and the country.

Yours truly,
JAMES B. ANGELL.

PRESENTATION OF PETITIONS.

No. 3. By Mr. Moriarty: Petition of the Board of Police Commissioners of the City of Marquette, requesting such legislation as will require paroled and discharged prisoners from the State Prison at Marquette to return or be returned to the county from which they were sentenced.

Mr. Moriarty moved that the petition be spread at length in the Journal and referred to the Committee on State Prison at Marquette.

The motion prevailed.

The following is the petition:

Office of Board of Police Commissioners.
Marquette, Mich., January 9, 1909.

To the Legislature of the State of Michigan:

Gentlemen:—The undersigned members of the Board of Police Commissioners of the City of Marquette, respectfully represent, that, by the action of the State prison boards in joint session, and by the practice of the judges of the State, the State House of Correction and Branch Prison located in this city has become peculiarly a prison for so called "incorrigibles," the result of which is that by expiration of terms of sentence and by parole, a considerable and constantly increasing number of ex-convicts of the desperate and habitual type are released in this city,

many of whom immediately start upon a renewal of their criminal practices and become a serious menace to the peace and safety of this community.

Numerous grave crimes have been committed by ex-convicts in this county shortly after their discharge from prison, murder, burglary, robbery, forgery, larceny and indecent exposure of the person being among the offenses committed by such persons and but for the extra precautions of the local police, an extra number of whom is made necessary by their presence here, more such crimes would undoubtedly be committed.

Many prisoners are discharged or released on parole here whom the local police have no means of identifying before they again become involved in crime or misconduct and who take advantage of this lack of knowledge of their identity to engage in such practices here.

We deem it peculiarly unjust to any one community to turn loose therein by parole or upon expiration of sentence, so many persons of such exceptional and extreme bad character, and we believe that means could be devised and put in practice by which paroled and discharged convicts should be returned to the counties from which they were sentenced.

We therefore respectfully petition your honorable body to enact such legislation as will require all paroled and discharged prisoners to return or be returned to the county from which they were sentenced. We heartily approve of the parole of all prisoners whom the proper authorities deem capable of reformation, but we respectfully protest against such paroled prisoners being permitted to become members of the "prison colony" of ex-convicts to be found in all cities where prisons are located. Such surroundings are not calculated to promote the reformation of the paroled prisoner. If he has any wish to reform and to prove himself worthy of release he can do so in the locality of the offense rather than in a community where there are gathered together a large number of ex-convicts, who find their principal associates among those whom they have known during prison confinement and who naturally come to regard themselves as belonging to the criminal class. Were such persons released in the county from whence they came they would have the opportunity to live down their mistake and would have the aid of the better elements in their own community to help them up to good standing again.

This argument we believe applies with even greater force to the ex-convict who has served out his term because regarded too vicious to be released upon parole. Such characters often, if not usually, start at once into crime and naturally seek associates of their own character, among ex-convicts, many of whom may be found in prison cities only too willing to encourage and enter into conspiracies of crime. Such characters had far better be discharged in the county from which sentenced and where they are known to the officers for there they would not be apt to accomplish the mischief of which they are capable, with the assistance of experienced criminals, with whom they may so easily associate themselves in a prison town.

Where a proper "First Friend" fails to voluntarily act as advisor of a convict, whom the proper authorities deem a fit subject for parole, we would suggest that the clerk or sheriff of the county from which he was sent be authorized or required to act in that capacity. So that no worthy convict would be debarred the privilege of a parole.

We believe it would be a wise measure if the law required the photograph and Bertillon description of all prisoners deemed unworthy of a parole to be furnished to the police officers of the city or of the county in which discharged at the times of discharge. This would enable police surveillance to be exercised over ex-convicts of the distinctly professional and habitual criminal class so long at least as they remain in the community where discharged.

Very respectfully,
JOHN ROBERTSON (President),
JOSEPH FAY,
JOHN CARLSON,
HENRY HALLAM,
GEORGE W. FREEMAN,
GEO. D. McCORMICK.

The petition was referred to the Committee on State Prison at Marquette.

MOTIONS AND RESOLUTIONS.

Mr. Fox offered the following resolution:
Senate resolution No. 37.

Whereas, Under the new constitution, Section 18, Article 10 reads that "the legislature shall provide by law for the keeping of accounts by all state officials, boards and institutions, and by all county officials; and shall also provide for the supervision and audit thereof by competent state authority and for uniform reports of all such public accounts to such authority. Such system of accounts shall provide for accurate records of all financial and other transactions and for checks upon all receipts and disbursements of all such officials, boards and institutions; and shall be uniform for all similar boards, institutions and county officials. All public accounts and the audit thereof shall be public records and open to inspection;" therefore be it

Resolved by the Senate (the House of Representatives concurring), That a committee of three from each House be appointed to work in conjunction with the Attorney General to prepare a bill that will determine such system.

The resolution was adopted.

INTRODUCTION OF BILLS.

Mr. Foster introduced
Senate bill No. 61, entitled

A bill to provide for the location, establishment and conduct of a Normal School at Alpena, in the lower peninsula of this State, and to make an appropriation for the same.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

Senator White entered the Senate Chamber and took his seat.

Mr. Wetmore moved that the Senate take a recess until 9:30 o'clock p. m.

The motion prevailed, the time being 9:10 o'clock p. m.

AFTER RECESS.

9:30 o'clock p. m.

The Senate was called to order by the President.
A quorum of the Senate was present.

By unanimous consent the Senate took up the order of

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
January 26, 1909.

To the President of the Senate:

Sir—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 7 (file No. 7), entitled

A bill to provide the manner of paying the compensation of members of the Legislature, and to make an appropriation therefor;

And to inform the Senate that in the passage of the bill, the House has concurred, and has also concurred in ordering the bill to take immediate effect.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

Mr. MacKay moved that the Senate adjourn.

The motion prevailed, the time being 9:45 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

TWELFTH DAY.

Lansing, January 26.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President pro tem.

Religious exercises were conducted by Rev. F. G. Ward, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney, President pro tem.—32.

Mr. Wetmore asked and obtained leave of absence for himself, from the remaining sessions of this week.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
January 26, 1909.

To the Senate—Availing myself of the constitutional privilege of addressing the Legislature upon matters of State interest and importance, I desire to call the attention of the Legislature to the advisability and necessity of recording our earnest protest against any action at Washington that will impair and lessen the usefulness of the water power available in the St. Mary's river at Sault Ste. Marie.

Reference is made to the so-called Lorimer Bill, now pending in the National House of Representatives.

The interests of Michigan certainly lie in the preservation and development of all of the water power available within the borders of the State and Michigan should protest most vigorously against any attempt through an act of congress to destroy for all useful purposes approximately one-half of the power available in the St. Mary's river at Sault Ste. Marie.

I would, therefore, most earnestly urge the adoption of resolutions setting forth the position our State holds with reference to the conservation of its own resources and urging our Representatives and Senators to use every effort to bring about the defeat of a measure

the enactment into law of which would cripple and in a measure destroy one of Michigan's most valuable assets.

Very respectfully,

FRED M. WARNER,
Governor.

The following message from the Governor was also received and read:

Executive Office, Lansing,
January 26, 1909.

To the Senate—An opportunity to extend the usefulness and to promote the interests of those whose lives are given to the service of Michigan's great University has been presented through the action of Andrew Carnegie. He has endowed a corporation known as The Carnegie Foundation for the Advancement of Teaching. His purpose was to provide pensions on certain conditions for teachers who had served a long time in certain colleges or universities and for their widows. He did not look upon these pensions as charities, but as a gift to encourage worthy persons to enter upon the profession of teaching, which in his opinion is not highly remunerated in this country. Hence the name given to the organization.

The returning allowance or pension may be awarded by the trustees to Presidents, Deans, Professors, Associate Professors, or Assistant Professors of any institution of higher learning accepted by the trustees. The recipient may be (1) one sixty-five years of age, who has served fifteen years as professor and is still in service, or (2) any one who has served twenty-five years as Professor and is still in service, or (3) during her widowhood, on any widow who has been for ten years the wife of a Professor in actual service. The pensions for Professors vary according to conditions fixed in the rules from \$800 to \$3,000 and widows receive one-half the allowance their husbands would be entitled to. All the teachers who receive pensions retire at once from active service.

For a state university to be placed on the list (1) it must by its Regents or Trustees make application. This our Regents did in April last. (2) The request of the Regents must be approved by the Governor and the Legislature of the state in which it is situated.

It is obvious that the approval by the state authorities is simply the acceptance of a generous gift which involves the state in no expense directly or indirectly and which is likely to increase the efficiency of the University in its important work for the state. It would seem that the gift should be gratefully received.

I am advised by President Angell that if necessary he will be pleased to go before the proper committees of the Senate and House and furnish any desired information regarding the matter.

It is hardly necessary to state that any action necessary to make available this gift will be approved by this Department.

Very respectfully,

FRED M. WARNER,
Governor.

The Secretary read to the Senate the following communication from

the Secretary of the Constitutional Convention Association and the accompanying resolution:

Lansing, January 26, 1909.

Hon. E. V. Chilson, Secretary of the Senate:

Sir:—In accordance with the instructions of the Constitutional Convention Association, I herewith transmit a copy of a resolution adopted at the meeting of the Association on December 17, 1908.

Very respectfully,

PAUL H. KING,

Secretary of the Constitutional Convention Association.

The following is the resolution:

Whereas, The revised constitution adopted by the Constitutional Convention has been ratified by the people of the State; and

Whereas, The work of construing and interpreting the constitution will depend to a great extent upon a thorough understanding of the proceedings which led to its adoption by the Convention; and

Whereas, The Convention made provision for but a limited number of copies of such proceedings in view of the uncertainty of the ratification of the instrument; therefore,

Resolved, That the Legislature of 1909 be respectfully requested to have re-printed such number of copies of the debates of the Convention as it may deem sufficient, combining with such debates any part of the Journal that may be desirable; and

Resolved further, That the Secretary of this meeting be directed to transmit a copy of this resolution to both Houses of the Legislature.

The communication and the accompanying resolution were ordered spread at length in the Journal.

MOTIONS AND RESOLUTIONS.

Mr. Fowle offered the following resolution:

Senate resolution No. 38.

Whereas, House bill No. 25161, introduced this January 5 in the House of Representatives of the United States by a representative from Illinois, provides for the destruction of water powers already developed in the rapids of the St. Mary's River at Sault Ste. Marie, Michigan, and for the prevention of any further developments, for the ostensible reason that it is necessary for the support and fostering of commerce that the government should regulate the discharge of Lake Superior in order that the navigability of the waters of the lower lakes may be improved, and,

Whereas, The chief occasion of the disturbance of the levels of the lower lakes is the development of a sanitary channel and of a water power by diversion to the Mississippi river, of water which ought to flow to Lakes Huron and Erie, which diversion has permitted the construction of hydraulic works in Illinois aggregating 25,000 horse power and upwards, where naturally little or no power existed, and

Whereas, The suggested navigable channel from Chicago to the Mis-

missippi could and should be obtained by slack water and locks and the real purpose of the diversion of a great flow of water is a wasteful sewage disposal for Chicago and the creation of water powers for riparian owners on the Drainage Canal and the Des Plaines River, and

Whereas, It has been publicly announced that the intent is to control, and at times stop the flow of Lake Superior to the lower lakes in order that the flow of water through the Chicago Drainage Canal may be greatly increased and the water powers connected with the Canal may be improved and extended without interference with navigation in Lake Michigan, the purpose being to limit or stop the discharge of Lake Superior during stages of high water on the lower lakes and to discharge Lake Superior into the lower lakes when low water is produced by said Drainage Canal, and

Whereas, An agreement has been proposed between United States engineers and the owners of land required for a new canal and two additional locks at Sault Ste. Marie, Michigan, by which the government can immediately secure at a satisfactory price all the land needed for government use without interfering with the use of surplus water for power purposes and said legislation is in no wise sought by the engineer department in charge of the St. Mary's Falls Ship Canal, now therefore be it

Resolved by the Senate (the House of Representatives concurring), That our Senators and Representatives in Congress be and hereby are requested to oppose the passage of the said bill and to oppose any similar measure tending to deprive the State of Michigan of the advantage of the full use of its natural resources.

Resolved further, That it is the opinion of the Senate and House of Representatives of the State of Michigan that this State requires for its own people the full use of all water powers of the State subject only to the reasonable needs of navigation.

Resolved further, That the conservation, development and use of all the power in the American rapids at Sault Ste. Marie, Michigan, either by the United States Government itself, to be rented to American industries or an act permitting private interests to develop such power subject to government requirements, government control and regulations, is the proper end to be sought. To the accomplishment of which the individual and joint efforts of the Michigan Senators and Representatives in Congress is hereby earnestly urged.

Resolved further, That the Governor of this State be requested to forward copies of the foregoing resolutions to each of our Senators and Representatives in Congress, to Senator Frye, chairman of the Committee on Commerce and to Representative Theodore E. Burton, chairman of the Rivers and Harbors Committee in the House of Representatives.

The resolutions were adopted.

Mr. Snell offered the following resolution:

Senate resolution No. 39.

Resolved, That Senator Fowle be and he is hereby authorized to take the place of Senator Snell on the Committee on Asylum at Newberry on the occasion of the visit of said committee to the above named institution under the proper authorization of the Senate.

The resolution was adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on Supplies and Expenses.

The Committee on Supplies and Expenses report the following accounts:

J. W. Knapp & Company	\$17 52
Christopher & Loftus	4 95
Dancer, Brogan & Co.	2 95
A. H. Towle	1 20
H. H. Larned	36 17
Manufacturers' Engraving Co.	11 00
Jacob Stahl & Son.....	1 50
G. Fred Baurele	4 20
Etta R. Saunders	12 00
John Buehler	3 20
The Bobbs-Merrill Company	10 00
J. A. Bissinger	6 00
Chas. M. Norton	2 07
C. B. Leonard	3 75
Panacea Spring	3 75
Robinson Drug Co.	7 25
The Peninsular Stamp & Stencil Co.....	8 58
The West Publishing Co.....	30 00
The Crystal Laundry Company.....	2 76
The Lansing Laundry	2 22
The Citator Publishing Company.....	8 00
The Richmond & Backus Co.....	4 90
E. V. Chilson, Stamps and Express.....	7 25
H. Merton Clark	3 50

With the recommendation that the accounts be allowed and orders drawn for the same.

HORACE T. BARNABY, JR.,
Chairman.

The report was accepted and adopted and the committee discharged.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
January 26.

To the President of the Senate:

Sir—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 30.

Resolved by the Senate (the House of Representatives concurring), That the Auditor General be and is hereby respectfully requested to furnish the Legislature at his earliest convenience a statement of the condition of the State Treasury as of January 1, 1909; also an estimate of

the probable receipts and disbursements of the State government from January 1, 1909, to December 31, 1909, inclusive;

In the adoption of which the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The following message from the House was also received and read:

House of Representatives,

January 26.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 37.

Whereas, Under the new constitution, Section 18, Article 10, reads that "the Legislature shall provide by law for the keeping of accounts by all State officials, boards and institutions and by all county officials; and shall also provide for the supervision and audit thereof by competent State authority and for uniform reports of all such public accounts to such authority. Such system of accounts shall provide for accurate records of all financial and other transactions, and for checks upon all receipts and disbursements of all such officials, boards and institutions; and shall be uniform for all similar boards, institutions and county officials. All public accounts and the audit thereof shall be public records and open to inspection," therefore be it

Resolved by the Senate (the House of Representatives concurring), That a committee of three from each house be appointed to work in conjunction with the Attorney General to prepare a bill that will determine such system;

In the adoption of which the House has concurred.

Very respectfully,

PAUL H. KING.

Clerk of the House of Representatives.

The following message from the House was also received and read:

House of Representatives,

January 25.

To the President of the Senate:

Sir—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 36.

Resolved by the House (the Senate concurring), That the following rules be adopted as the joint rules of the Senate and the House of Representatives of 1909:

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

Rule 1. Each house shall transmit to the other all papers on which any bill or resolution shall be founded.

Rule 2. When a bill or resolution which shall have passed one house is rejected in the other notice thereof shall be given to the house in which the same may have passed.

Rule 3. Messages from one house to the other shall be communicated by the Secretary of the Senate and Clerk of the House of Representatives, unless the house transmitting the message shall especially direct otherwise.

Rule 4. It shall be in the power of either house to amend any amendment made by the other to any bill or resolution.

Rule 5. In every case of a difference between the two houses upon any subject of legislation, the house wherein the difference arises shall advise the other of the disagreement. Such other house shall then either recede from its position relative to the subject under consideration or insist thereon and ask for a committee of conference. Upon granting the request for a conference, the house granting the request shall name a committee consisting of three members, unless otherwise ordered, on the part of such house. The other house shall be immediately notified of the action taken and of the appointment of any such committee, and such other house shall thereon name a similar committee on the part of such house. The papers involved shall be delivered to the chairman of the committee of the house in which they originated. The two committees shall meet at such hour and place as shall be agreed on by the chairmen and state to each other the reasons for the action of their respective houses, and confer freely upon the matter of the difference. Each committee shall report to the house on whose part it was appointed. In case of an agreement, the papers on which the difference arose shall accompany the report of the committee of the house other than the one in which such papers originated and such report shall be first acted upon in such house and then transmitted to the other for concurrence. The report of the other committee shall be to the effect that an agreement had been reached and that a detailed report has been made to the other house which will, if adopted by that house, be transmitted for concurrence. In case of a disagreement, each committee shall report to its own house the reasons for such disagreement.

Rule 6. It shall be in order for either house to recede from any subject matter of difference existing between the two houses at any time previous to a conference, whether the papers on which such difference has arisen are before the house receding, formally or informally. A majority shall govern, except in cases where two-thirds are required by the constitution; and the question, having been put and lost, shall not be again put the same day. The consideration thereof in other respects shall be regulated by the rules of the respective houses.

Rule 7. In case each house adheres to its disagreement, the bill which is the subject of difference shall be deemed lost, and shall not be again revived during the same session in either house, unless by consent of three-fourths of the members present of the house reviving it.

Rule 8. The same bill shall not amend or repeal more than one act of incorporation; nor shall the same bill appropriate public money or property to more than one local or private purpose. Any bill appropriating moneys for the payment of the officers of the government shall be confined to that purpose exclusively.

Rule 9. Whenever there shall be an election of any officer in joint convention the result shall be certified by the President of the Senate and the Speaker of the House of Representatives; shall be announced by the presiding officers to their respective houses; shall be entered on the Journal of each; and shall be communicated to the Governor by the Secretary of the Senate and Clerk of the House of Representatives.

Rule 10. Whenever both houses by the constitutional vote, direct that any bill shall take effect immediately, a statement shall be added thereto at the enrollment of the bill in words to this effect: "This act is ordered to take immediate effect."

Rule 11. Whenever a bill shall have been passed by both houses of the Legislature, the objections of the Governor to the contrary notwithstanding, or whenever a concurrent resolution proposing an amendment to the constitution shall have been passed by both houses in the manner prescribed by the constitution, such bill or such concurrent resolution shall be duly enrolled and signed by the presiding officers of both houses. The Secretary of the Senate and the Clerk of the House shall then each attach a certificate to such enrolled copy, to the effect that the same has been passed by the Senate and House respectively in accordance with the provisions of the constitution, and shall forthwith file the same in the office of the Secretary of State.

Rule 12. The title of every bill to amend or repeal existing laws passed prior to the date of the last general compilation shall refer to the chapter of the compilation containing such act, and to the sections proposed to be amended or repealed. When bills to amend existing laws are printed, words added to such laws shall be enclosed in brackets; the omission of words shall be indicated by stars; and where the proposed alteration is of such character that it cannot readily be indicated in either of the foregoing ways, it shall be indicated by printing in italics the parts differing from the existing law.

Rule 13. The legislative postoffice shall be kept open every week day from 8 o'clock a. m. to 9 o'clock p. m., and on each Sunday from 12 o'clock noon until 1 o'clock p. m., and the mail shall be delivered to the Lansing postoffice in time for the outgoing trains on Sunday evenings;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING.

Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution, Mr. Tuttle moved that the resolution and the joint rules be re-referred to the Committee on Rules.

The motion prevailed.

The following message from the House was also received and read:

House of Representatives,
January 25.

To the President of the Senate:

Sir—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 37.

Resolved by the House (the Senate concurring), That the rules in joint convention of 1907 be adopted as the joint convention rules of the Legislature of 1909;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution,

Mr. Tuttle moved that the resolution be laid on the table.

The motion prevailed.

NOTICES.

Mr. Fox gave notice that at some future day he would ask leave to introduce

A bill making the mortgagor and mortgagee joint owners in real estate for the purpose of taxation of the same.

INTRODUCTION OF BILLS.

Mr. MacKay introduced

Senate bill No. 62, entitled

A bill to regulate campaign expenditures and expenses, and contributions to campaign funds, and to require accounts thereof to be kept and filed, and reports thereof to be made.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Elections.

Mr. MacKay introduced

Senate bill No. 63, entitled

A bill to amend section 3 of chapter 109 of the Revised Statutes of the year 1846, entitled "Of the partition of lands owned by several persons," being section 11015 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Taylor introduced

Senate bill No. 64, entitled

A bill to amend sections 1, 2 and 3 of Act No. 113 of the Public Acts of 1901, as amended by Act No. 171 of the Public Acts of 1905, as amended by Act No. 169 of the Public Acts of 1907, entitled "An act to provide for the inspection of manufacturing establishments, workshops, hotels and stores in this State; to provide for the regulation of such establishments and the employment of women and children therein; to regulate the conduct of sweat-shops, so-called; to provide

for the enforcement of the provisions of this act; and to make an appropriation for the purpose of carrying out the same."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Labor Interests.

SPECIAL ORDER.

2:30 o'clock p. m.

The President announced that the hour had arrived for the special order and laid before the Senate

Senate bill No. 27 (file No. 24), entitled

A bill to provide for the registration of and to regulate the employment of legislative lobby counsel and agents; to provide for the filing of expense accounts of said counsel and agents; and to provide a penalty for violations of this act.

Mr. Watkins moved that the bill be re-referred to the Committee on Judiciary.

The motion prevailed.

Mr. Wetmore moved that the Senate take a recess until 2:40 o'clock p. m.

The motion prevailed.

AFTER RECESS.

2:40 o'clock p. m.

The Senate was called to order by the President.

A quorum of the Senate was present.

By unanimous consent the Senate resumed the order of

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

The Committee on Judiciary report

Senate bill No. 27 (file No. 24), entitled

A bill to provide for the registration of and to regulate the employment of legislative lobby counsel and agents; to provide for the filing of expense accounts of said counsel and agents; and to provide a penalty for violations of this act.

With the following amendments thereto:

1. By inserting in line 5 of section 1 after the word "resolutions" the words, "and every agent, employee, attorney or counsel of any person, firm, corporation or association, and every officer of such corporation or association, whose duty or business, in whole or in part, it shall be, as such agent, employee, attorney or counsel, or as such officer of such corporation or association, to promote or oppose, directly or indirectly, the passage of bills or resolutions by either house of the Legislature of this State or to promote or oppose executive approval of such bills or resolutions,"

2. By striking out of line 2 of section 4 the words, "Within two months after the adjournment of the Legislature," and inserting in lieu thereof the words "represented by any person required to register under the provisions of section 1 of this act,"

3. By inserting in line 3 of section 4 after the word "statement" the words, "within two months after the adjournment of the Legislature,"

4. By striking out of line 5 of section 5 after the word "before," the words "the regular committee thereof, when in session" and inserting in lieu thereof the words, "a regular committee of either house or of both houses of the Legislature when in session, or at a public hearing before such committee, or before either house or both houses of the Legislature,"

5. By inserting a new section, after section 5 to be numbered section 6 and to read as follows:

"Section 6. No officer, agent, appointee or employee in the service of the State of Michigan, or of the United States, shall attempt to influence any member of the Legislature to vote for or against any measure pending before such Legislature or either house thereof, affecting the pecuniary interests of such person, excepting in the manner authorized herein in the case of legislative counsel and agents."

6. Re-number sections 6 and 7 so that the same will be numbered 7 and 8.

7. By striking out of line 10 of section 8 the words "within the time" and inserting in lieu thereof the word "as;"

Recommend that the amendments be concurred in, and that when so amended the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

Mr. Wetmore moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President pro tem. called Mr. Kline to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 27 (file No. 24), entitled

A bill to provide for the registration of and to regulate the employment of legislative lobby counsel and agents; to provide for the filing of expense accounts of said counsel and agents; and to provide a penalty for violation of this act;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate with the further recommendation that the bill be re-printed and re-referred to the committee of the whole.

•
FRED B. KLINE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Kline moved that the Senate concur in the amendments made to the bill by the committee and in the further recommendation that the bill be re-printed and re-referred to the committee of the whole.

The motion prevailed.

By unanimous consent the Senate returned to the order of

MOTIONS AND RESOLUTIONS.

Mr. Taylor offered the following resolution:

Senate resolution No. 40.

Whereas, The Senate has learned that today is the birthday anniversary of our Legislative Postmaster, Jonathan A. Sprague, and

Whereas, Jonathan A. Sprague was born in the State of New York, January 26, 1833, but has been a resident of Michigan since 1837, and has seen and participated in the growth and development of our beautiful State from a wilderness to its present first place among the great states of the Union, and

Whereas, In peace Mr. Sprague has served his State and his community as a public official and as a minister of the gospel, having been admitted to membership in the Michigan Conference of the Methodist Episcopal Church in 1859, since which time he has held all ranks of the conference below that of Bishop; and in war has served his country with distinguished honor and great valor, with a record as a soldier that is unusually fascinating in detail. He was a lieutenant in Colonel Berdan's sharpshooters, who distinguished themselves for great bravery throughout the Civil War. On the fourth day of the seven days' fighting in the peninsula, Lieutenant Sprague was wounded and taken prisoner by Stonewall Jackson. He was removed to Richmond, where he was placed in an improvised box car hospital, Libby prison being full at the time.

Three months later he was allowed to go to Baltimore on parole. He was never released from this parole and is to this day a paroled prisoner of the Confederate Government. Wounds received and disease contracted in that campaign have caused him many years of suffering, but his kindly ways and geniality have never been affected and he has lived a life of exceptional usefulness, and in his declining years commands the respect and confidence of all who know him; therefore be it

Resolved, That the Senate, to the members of which Mr. Sprague is known as an exceptionally accommodating and efficient employe, extend to him their hearty congratulations on this, his seventy-sixth birthday, and trust his life may be spared for many years, and be it

Resolved further, That the Secretary of the Senate be and is hereby instructed to transmit a copy of this resolution to Mr. Sprague.

The resolution was adopted.

Mr. Smith sent to the desk and had read the following:

To the President of the Senate and Senators:

Believing that it would be better for me to give more attention to other subjects than finance, I beg hereby to tender my resignation as a member of the Committee on Finance and Appropriations, to take effect at once.

CHARLES SMITH.

Dated January 26, 1909.

Mr. Moriarty moved that the resignation be accepted.

The motion prevailed.

Mr. MacKay moved that the Senate adjourn.

The motion prevailed, the time being 5:10 o'clock p. m.

The President pro tem. declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

THIRTEENTH DAY.

Lansing, January 27.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, White, Whitney—30.

The following Senator was absent with leave: Mr. Wetmore—1.

The following Senator was absent without leave: Mr. Bolt—1.

Mr. Tuttle moved that leave of absence be granted to Mr. Bolt from today's session.

The motion prevailed.

Messrs. Fowle, Kline, Ward and MacKay asked and obtained leaves of absence for themselves from the remaining sessions of this week.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
January 27, 1909.

To the President of the Senate:

Sir—I have this day approved, signed and deposited in the office of the Secretary of State Senate bill No. 7, (Enrolled No. 1), being

An act to provide the manner of paying the compensation of members of the Legislature, and to make an appropriation therefor.

Respectfully,

FRED M. WARNER,
Governor.

COMMUNICATIONS FROM STATE OFFICERS.

Auditor General's Department, Lansing,
January 27, 1909.

To the President of the Senate:

Sir:—Acting under the provisions of Senate concurrent resolution No. 30, I herewith submit for your consideration statements showing the condition of the State Treasury on January 1, 1909, and estimates of the probable receipts and disbursements of the State government from January 1, 1909, to December 31, 1909, inclusive.

Very respectfully,

ORAMEL B. FULLER,
Auditor General.

Statement showing condition of State Treasury at the close of business December 31, 1908.

	Dr.	Cr.
Balance on hand in State Treasury at close of business Dec. 31, 1908, available for all purposes	\$921,452 25	
Balance in General Fund Jan. 1, 1909....		(a) \$495,646 54
Balance in special funds not available for general expenses		425,805 71
	<u>\$921,452 25</u>	<u>\$921,452 25</u>
Balance on hand in General Fund Jan. 1, 1909		\$495,646 54
Amount transferable to Primary School Fund		771,457 68
Deficiency in General Fund Jan. 1, 1909..		\$275,811 14
Deposit in City Savings Bank, Detroit, not available	\$23,856 36	
Deposit in Chelsea Savings Bank, not available	358,962 68	382,819 04
Actual deficiency in General Fund Jan. 1, 1909		<u>\$658,630 18</u>
(a) Includes amount deposited in City Savings Bank, Detroit		\$23,856 36
Includes amount deposited in Chelsea Savings Bank		358,962 68
		<u>\$382,819 04</u>

Statement showing estimated amount available July 1, 1909, for expenses of State government and appropriations made by Legislature of 1909 for current expenses and building and special purposes for State institutions and boards until State tax of 1909 is available, which will be about January 15, 1910.

Balance on hand in General Fund, Jan. 1, 1909,		\$ 495,646 54
Estimated receipts on account of State tax of 1908,		
State tax	\$4,193,422 93	
Less estimated delinquent returns.....	175,000 00	4,018,422 93
		<hr/>
Estimated receipts from other sources.....		240,000 00
		<hr/>
Total receipts to July 1, 1909.....		\$4,754,069 47
Amount undrawn by State institutions Jan. 1, 1909, for current expenses	\$1,153,780 10	
For special purposes	598,949 55	\$1,752,729 65
		<hr/>
Amount transferable to Primary School Fund	771,457 68	
Deposit in City Savings Bank, Detroit.....	23,856 36	
Deposit in Chelsea Savings Bank.....	358,962 68	
Estimated expenses of State government to July 1, 1909.....	550,000 00	3,457,006 37
Estimated amount available July 1, 1909, for expenses of State government and appropriations made by Legislature of 1909 for current expenses and building and special purposes for State institutions and boards until State tax of 1909 is available, which will be about January 15, 1910.....		<hr/>
		\$1,297,063 10

Estimates based on receipts and disbursements for the years 1907 and 1908 and appropriations made by the Legislature of 1907.

Statement showing estimated appropriations by the Legislature of 1909 for the fiscal year ending June 30, 1910; estimated expenses of State government for the same period and estimated deficiency January 1, 1910.

	Fiscal year ending June 30, 1910.
Estimated appropriations for State institutions and boards—	
Current expenses (a)	\$3,200,000 00
Special purposes (b)	1,200,000 00
Estimated appropriations and settlements by Legislature of 1909 which will contain no tax clause (c)	100,000 00

Appropriations by previous Legislatures which contain no tax clause (d)	\$68,110 00
Estimated expenses of State government (c)	1,200,000 00
Estimated total expenses	<u>\$5,768,110 00</u>

If the Legislature of 1909 appropriates the amounts shown above marked (a), (b), (c) and (e) to which should be added (d)—the amount of continuing annual appropriations made by previous Legislatures which contain no tax clause, and one-half of the total is drawn prior to January 1, 1910, there would be a deficiency January 1, 1910, as follows:

One-half of \$5,768,110.00 is.....		\$2,884,055 00
Deducting estimated receipts for the six months commencing July 1, 1909, and ending December 31, 1909	\$187,500 00	
And also estimated amount available July 1, 1909	1,297,063 10	1,484,563 10
Gives an estimated deficiency January 1, 1910, of		<u><u>\$1,399,491 90</u></u>

Estimates based on receipts and disbursements for 1907 and 1908 and appropriations made by the Legislature of 1907.

The communication was ordered spread at length in the Journal.

MOTIONS AND RESOLUTIONS.

Mr. Moriarty offered the following resolution:

Senate resolution No. 41.

Resolved, That Edward R. Carpenter, Assistant Secretary of the Senate, be and he is hereby directed to accompany and act as Assistant to the Sergeant-at-Arms in arranging for the visit of the standing committees of the Senate to the State institutions and assist said committees in the work of securing information for the use of the Senate.

Mr. Moriarty moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Aitkin offered the following resolution:

Senate resolution No. 42.

Resolved, That Senator Dickinson be and he is hereby authorized to take the place of Senator Aitkin, on the Committee on College of Mines, on the occasion of the visit of said Committee of the above named institution under the authorization of the Senate.

The resolution was adopted.

PRESENTATION OF PETITIONS.

No. 4. By Mr. Bates: Petition of Geo. Wilson, Fred Schadd and 50 other residents of Allegan and Barry counties asking amendments to the game laws.

The petition was referred to the Committee on Gaming Interests.

REPORTS OF STANDING COMMITTEES.

By the Committee on Agricultural Interests:

The Committee on Agricultural Interests reports

Senate bill No. 19 (file No. 17), entitled

A bill to authorize the Michigan Dairymen's Association to hold an annual meeting and such auxiliary meetings as may be determined by the association, and making an appropriation therefor;

With the recommendation that the bill pass.

L. W. SNELL,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the Committee on Finance and Appropriations.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

Senate bill No. 38, entitled

A bill to repeal sections 17 and 18 of Act No. 154 of the Public Acts of 1903, entitled "An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 15 and 16 of Act No. 176 of the Public Acts of 1891, entitled 'An act for the organization of township school districts in the Upper Peninsula,' being compiler's sections 4823, 4824, 4825, 4826, 4827, 4828, 4829, 4830, 4831, 4833, 4834, 4837, and 4838 of the Compiled Laws of 1897," and to add one section thereto to stand as section 17;

With the recommendation that the bill pass.

GEO. G. SCOTT,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

Senate bill No. 2 (file No. 2), entitled

A bill to amend sections 1 and 2 of Act No. 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being sections 4639 and 4640 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

GEO. G. SCOTT,

Chairman.

HORACE T. BARNABY, JR.,

(A majority of the Committee.)

The report was accepted and the committee discharged.

Mr. Shields submitted the following minority report:

I cannot concur in the report of a majority of the committee relative to the above entitled bill for the following reasons:

1. I am not in favor of increasing the salary of the Superintendent of Public Instruction from one thousand to five thousand dollars per annum. I think the salary should be fixed at not to exceed three thousand five hundred dollars per annum, which is one thousand dollars in excess of the salary fixed by the constitution for any other State officer except the Attorney General, and which salary I believe will secure for the office a competent and painstaking Superintendent who will properly discharge his duties and fill the office with credit to the State.

I therefore recommend that the salary of the Superintendent of Public Instruction be fixed at the above named amount.

2. I also oppose the creation of the new office of Supervisor of Rural Schools because the work of such an officer can, in my judgment, be more satisfactorily accomplished through the County School Commissioners who are elected directly by the people.

3. I therefore recommend the following amendments to the bill:

1. By striking out of line 59 of section 1 the words "five thousand dollars" and inserting in lieu thereof the words "three thousand five hundred dollars."

2. By striking out all of line 9 of section 2 after the word "annum" and all of lines 10, 11, 12, 13, 14, 15, 16, 17 and 18 down to and including the word "direct."

3. By striking out of lines 18 and 19 all after the word "direct" in line 18.

4. By striking out of line 20 of section 2 the word "salaries" and inserting in lieu thereof the word "salary."

5. By striking out of lines 20 and 21 of section 2 the words "and Supervisor of Rural Schools."

6. By striking out of lines 24 and 25 of section 2 the words "or Supervisor of Rural Schools."

F. J. SHIELDS,

Member Committee on Education and Public Schools.

The question being on the adoption of the report offered by a majority of the committee,

The report was adopted.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Public Health:

The Committee on Public Health respectfully requests that Senate bill No. 46, entitled

A bill to regulate and in certain cases to prohibit the manufacture, sale, keeping, keeping for sale, owning, or giving away of cigarettes, cigarette paper, cigarette wrappers, and other substitutes for the same, and providing penalties for the violations thereof;

Be printed for the use of the committee.

A. C. KINGMAN,
Chairman.

The question being on complying with the request of the committee,

The request was granted and the bill was ordered printed for the use of the committee.

By the Committee on Public Health:

The Committee on Public Health reports

Senate bill No. 9 (file No. 9), entitled

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to repeal Act No. 127, Laws of 1879, as amended by Act No. 49 of the Laws of 1881, Act No. 20 of the Laws of 1883, Act No. 71 of the Laws of 1891, and Act No. 94 of the Laws of 1893;

With the recommendation that the bill pass.

A. C. KINGMAN,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Public Health:

The Committee on Public Health reports

Senate bill No. 10 (file No. 10), entitled

A bill to prohibit the use of petroleum, coal or kerosene oil for illuminating or heating purposes which have been adulterated, or which will emit a combustible vapor at a temperature of one hundred twenty or less degrees Fahrenheit's thermometer, and to repeal Act No. 241 of the Public Acts of 1899, entitled "An act to prohibit the use of the products of petroleum for illuminating purposes which have been adulterated, or which will emit a combustible vapor at a temperature less than one hundred twenty-one degrees Fahrenheit's thermometer;"

With the recommendation that the bill pass.

A. C. KINGMAN,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Public Health:

The Committee on Public Health reports

Senate bill No. 8 (file No. 8), entitled

A bill to provide for the regulation of the sale by dealers and the keeping on hand by consumers, of gasoline, benzine or naphtha;

With the following amendments thereto:

1. By inserting in line 1 of section 1 after the word "at" the words "wholesale or."

2. By inserting in line 7 of section 1 after the word "use" the words "or sale."

3. By striking out of line 7 of section 3 the word "five" and inserting in lieu thereof the word "seven."

Recommend that the amendments be concurred in, and that when so amended the bill pass.

A. C. KINGMAN,

Chairman.

The report was accepted and adopted and the committee discharged.
Mr. Kingman moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs report
Senate bill No. 45 (file No. 43), entitled

A bill making an appropriation for the Mackinac Island State Park for various purposes for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same;

With the recommendation that the bill be referred to the Committee on Finance and Appropriation.

J. D. M. MacKAY,
Chairman.

The report was accepted and the committee discharged.

Mr. MacKay moved that the Senate concur in the recommendation of the committee that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed and the bill was so referred.

By the Committee on State Affairs:

The Committee on State Affairs report
Senate bill No. 49 (file No. 45), entitled

A bill to amend section 2 of Act No. 222 of the Public Acts of 1895, entitled "An act to provide for the appointment of a board of commissioners who shall have the management and control of the Mackinac Island State Park, and defining its powers and duties," being section 1258 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

J. D. M. MacKAY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs report
Senate bill No. 21 (file No. 18), entitled

A bill to amend section 1 of Act No. 337 of the Public Acts of 1907, entitled "An act regulating the loaning of money when, as security for such loan, a lien is taken upon household furniture and effects, musical instruments, typewriters and sewing machines or any other personal chattels, or any assignment or transfer of any salary or part thereof, and prescribing penalties for the violation of the act;"

With the following amendment thereto:

By striking out of line 3 of section 1 the word "twenty" and inserting in lieu thereof the word "five."

Recommend that the amendment be concurred in, and that when so amended the bill pass.

J. D. M. MacKAY,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. MacKAY moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read :

House of Representatives,
January 27.

To the President of the Senate:

Sir:—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 42.

Whereas, Through the generosity of Mr. Andrew Carnegie a corporation has been formed and liberally endowed known as The Carnegie Foundation for the Advancement of Teaching, the purpose of which is to encourage worthy persons to adopt the profession of teaching permanently by providing retiring allowances for professors and certain administrative officers in the institutions of higher learning after long service, and for the widows of professors; and

Whereas, The original endowment has been largely increased to admit of extending the benefits of retiring allowances to professors and certain administrative officers in State universities and to the widows of professors, in case the governing board applies for such admission, and the Legislature and Governor of the State approves such application; and

Whereas, The regents of the University of Michigan, realizing the advantage that participation in said fund will give in securing and retaining the services of the best educators of the country, have made application to participate therein; therefore be it

Resolved by the House (the Senate concurring), That the action of Mr. Carnegie in thus promoting the cause of higher learning is deeply appreciated, and that the Legislature of Michigan hereby approves the course of the regents of the State University in asking that the professors and administrative officers and widows of professors of the University be included as beneficiaries of said fund; and be it further

Resolved, That this resolution, when adopted by the Legislature, be presented to his excellency, the Governor, for his approval:

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution,
The resolution was adopted.

The following message from the House was also received and read:

House of Representatives,
January 27.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 38.

Whereas, House bill No. 25161 introduced January 5 in the House of Representatives of the United States by a representative from Illinois, provides for the destruction of water powers already developed in the rapids of the St. Mary's river at Sault Ste. Marie, Michigan, and for the prevention of any further development, for the ostensible reason that it is necessary for the support and fostering of commerce that the government should regulate the discharge of Lake Superior in order that the navigability of the waters of the lower lakes may be improved; and

Whereas, The chief occasion of the disturbance of the levels of the lower lakes is the development of a sanitary channel and of a water power by diversion to the Mississippi of water which ought to flow to Lakes Huron and Erie, which diversion has permitted the construction of hydraulic works in Illinois aggregating 25,000 horse power and upwards, where naturally little or no power existed; and

Whereas, The suggested navigable channel from Chicago to the Mississippi could and should be obtained by slack water and locks, and the real purpose of the diversion of a great flow of water is a wasteful sewage disposal for Chicago and the creation of water powers for riparian owners on the drainage canal and the Des Plaines river; and

Whereas, It has been publicly announced that the intent is to control and at times stop the flow of Lake Superior to the lower lakes in order that the flow of water through the Chicago Drainage Canal may be greatly increased and the water powers connected with the canal may be improved and extended without interference with navigation in Lake Michigan, the purpose being to limit or stop the discharge of Lake Superior during stages of high water on the lower lakes and to discharge Lake Superior into the lower lakes when low water is produced by said drainage canal; and

Whereas, An agreement has been proposed between United States engineers and the owners of land required for a new canal and two additional locks at Sault Ste. Marie, Michigan, by which the government can immediately secure at a satisfactory price, all the land needed for government use without interfering with the use of surplus water for power purposes, and said legislation is in no wise sought by the engineer department in charge of the St. Mary's Falls ship canal; now therefore be it

Resolved by the Senate (the House of Representatives concurring). That our Senators and Representatives in Congress be and hereby are requested to oppose the passage of the said bill and to oppose any similar measure tending to deprive the State of Michigan of the advantage of the full use of its natural resources;

Resolved further, That it is the opinion of the Senate and House of Representatives of the State of Michigan that this State requires for its own people the full use of all water powers of the State, subject only to the reasonable needs of navigation;

Resolved further, That the conservation, development and use of all the power in the American rapids at Sault Ste. Marie, Michigan, either by the United States government itself, to be rented to American industries or an act permitting private interests to develop such power subject to government requirements, government control and regulations, is the proper end to be sought, to the accomplishment of which the individual and joint efforts of the Michigan Senators and Representatives in Congress are hereby earnestly urged;

Resolved further, That the Governor of this State be requested to forward copies of the foregoing resolutions to each of our Senators and Representatives in Congress, to Senator Frye, Chairman of the Committee on Commerce, and to Representative Theodore E. Burton, Chairman of the Rivers and Harbors Committee in the House of Representatives;

In the adoption of which the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

INTRODUCTION OF BILLS.

Mr. Kline introduced

Senate bill No. 65, entitled

A bill limiting the amount which may be raised in any county in any one year by the board of supervisors.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Counties and Townships.

Mr. Fox introduced

Senate bill No. 66, entitled

A bill to provide for the assessment of real estate mortgages and the levied taxes thereon, and for the collection of taxes hereafter levied thereon, and repeal all acts or parts of acts in anywise contravening any of the provisions of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. Ming introduced

Senate bill No. 67, entitled

A bill in relation to testimony in certain cases.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

Mr. Ming introduced

Senate bill No. 68, entitled

A bill making an appropriation for the care, maintenance and improvement of Wawatam Park.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

Mr. Ming introduced
Senate bill No. 69, entitled

A bill to place under the control and management of the Board of Commissioners of Mackinac Island State Park the site formerly occupied as a military post under the name of Fort Michilimackinae, in the village of Mackinaw City, in the county of Cheboygan, Michigan, heretofore conveyed to the State of Michigan by said village of Mackinaw City under and by virtue of the provisions of Act No. 520 of the Local Acts of 1903, known as Wawatam Park, defining the power and authority of said Mackinac Island State Park Board therein, and to authorize it to make, publish and enforce rules and regulations for the care, order and preservation thereof.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

Mr. Fowle introduced
Senate bill No. 70, entitled

A bill making appropriations for the Upper Peninsula Hospital for the Insane at Newberry, for the biennial period ending June 30, 1910, for buildings and special purposes, and to provide a tax to meet the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Asylum at Newberry.

Mr. White introduced
Senate bill No. 71, entitled

A bill to amend section 15 of Act No. 183 of the Public Acts of 1907, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May 29, 1897, being 377 of the Compiled Laws of 1897, as amended by Act No. 75 of the Public Acts of 1903.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. MacKay moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Whitney to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 20 (file No. 36), entitled

A bill to amend section 98a of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore

and hereafter levied, making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State, and not redeemed or purchased, and to repeal Act No. 200 of the Public Acts of 1901, and all acts and parts of acts in any wise contravening any of the provisions of this act," as amended by Act No. 212 of the Public Acts of 1905;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

The committee of the whole has also had under consideration the following:

Senate bill No. 24 (file No. 21), entitled

A bill making an appropriation for the Michigan State Prison for the fiscal year ending June 30, 1910, for the purpose of completing heating, lighting and power system, and to provide a tax to meet the same;

And has directed its chairman to report the same back to the Senate, with the recommendation that the bill be re-referred to the Committee on Finance and Appropriations.

The committee of the whole has also had under consideration the following:

Senate bill No. 2 (file No. 2), entitled

A bill to amend sections 1 and 2 of Act No. 164, of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being sections 4639 and 4640 of the Compiled Laws of 1897;

And has directed its chairman to report the same back to the Senate, but not having completed the consideration thereof, reports progress and asks leave to sit again on the bill.

J. H. WHITNEY,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first named bill in the report and the bill was placed on the order of third reading of bills.

The Senate concurred in the recommendation of the committee regarding the second named bill in the report and the bill was re-referred to the Committee on Finance and Appropriations.

The Senate concurred in the recommendation of the committee regarding the third named bill in the report and the committee was granted leave to sit again on the bill.

By unanimous consent the Senate returned to the order of

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
January 27.

To the President of the Senate:

Sir:—I am instructed by the House, respectfully to request the return to the House of the following resolution:

House resolution No. 37.

Resolved by the House (the Senate concurring), That the rules in joint convention of 1907 be adopted as the joint convention rules of the Legislature of 1909.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

Mr. Tuttle moved that House resolution No. 37 be taken from the table. The motion prevailed.

Mr. Tuttle moved that the request of the House for the return of the resolution be granted.

The motion prevailed.

The following message from the House was also received and read:

House of Representatives,
January 27.

To the President of the Senate:

Sir:—I am instructed by the House, respectfully to request the return to the House of the joint rules of the Senate and House of Representatives, sent to the Senate Tuesday, for adoption.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

Mr. Tuttle moved to discharge the Committee on Rules from the further consideration of the joint rules of the Senate and House of Representatives proposed for adoption by the Senate.

The motion prevailed.

Mr. Tuttle moved that the request of the House for the return of the joint rules be granted.

The motion prevailed.

Mr. Tuttle moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Whitney to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 2 (file No. 2), entitled

A bill to amend sections 1 and 2 of Act No. 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being sections 4639 and 4640 of the Compiled Laws of 1897;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking concurrence therein, and recommending its passage.

J. H. WHITNEY,
Chairman.

The report was accepted.

The Senate concurred in the amendments made to the bill by the committee and the recommendation of the committee, and the bill was placed on the order of third reading of bills.

THIRD READING OF BILLS.

Senate bill No. 20 (file No. 36), entitled

A bill to amend section 98a of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied, making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased, and to repeal Act No. 200 of the Public Acts of 1901, and all acts and parts of acts in any wise contravening any of the provisions of this act," as amended by Act No. 212 of the Public Acts of 1905;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Mapes	Mr. Snell
Anhut	Fowle	Ming	Tuttle
Bates	Fox	Moriarty	Ward
Bradley	Kingman	Newton	Watkins
Collins	Kline	Scott	Weter
Dickinson	Krueger	Shields	White
Fairbanks	MacKay	Smith	Whitney

28

NAYS.

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The title of the bill was agreed to.

Senate bill No. 2 (file No. 2), entitled

A bill to amend sections 1 and 2 of Act No. 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and

acts contravening the provisions of this act," being sections 4639 and 4640 of the Compiled Laws of 1897;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Shields moved to amend the bill by striking out in line 59, section 1, the words "five thousand" and inserting in lieu thereof the words "three thousand five hundred."

The question being on receiving the amendment,

The amendment then was not received, a majority of all the Senators-elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Fairbanks	Mr. Kline	Mr. Watkins	
Bates	Fox	Mapes	White	
Dickinson	Kingman	Shields		11

NAYS.

Mr. Aitkin	Mr. Fowle	Mr. Newton	Mr. Tuttle	
Barnaby	Krueger	Scott	Ward	
Bradley	MacKay	Smith	Weter	
Collins	Ming	Snell	Whitney	
Foster	Moriarty			18

The question being on the passage of the bill,

The bill was then passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Ward	
Anhut	Fowle	Newton	Watkins	
Barnaby	Krueger	Scott	Weter	
Bradley	MacKay	Smith	White	
Collins	Mapes	Snell	Whitney	
Dickinson	Ming	Tuttle		23

NAYS.

Mr. Bates	Mr. Kingman	Mr. Kline	Mr. Shields	
Fox				5

The title of the bill was agreed to.

Mr. MacKay moved that the Senate take a recess until 4:20 o'clock p. m.

The motion prevailed, the time being 4:10 o'clock p. m.

AFTER RECESS.

4:20 o'clock p. m.

The Senate was called to order by the President.
A quorum of the Senate was present.

By unanimous consent the Senate returned to the order of

MOTIONS AND RESOLUTIONS.

Mr. MacKay moved to reconsider the vote by which the Senate today passed

Senate bill No. 2 (file No. 2), entitled

A bill to amend sections 1 and 2 of Act No. 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being sections 4639 and 4640 of the Compiled Laws of 1897.

The motion prevailed, a majority of the Senators-elect voting therefor.

The question being on the passage of the bill,

Mr. MacKay moved to amend the bill as follows:

1. By striking out of section 1, lines 58, 59 and 60 and inserting in lieu thereof the following:

"From and after the first day of July, 1909, the salary of the Superintendent of Public Instruction shall be \$5,000 per annum, which shall be paid monthly out of the general fund in the State treasury, upon the warrant of the";

2. By inserting at the end of the bill the following:

"There is hereby appropriated out of the general fund in the State treasury a sufficient amount to carry out the provisions of this act. The Auditor General shall add to and incorporate in the State tax for the year 1909 and every year thereafter a sufficient amount to reimburse the general fund for the amounts appropriated by this act."

The amendments were received, a majority of all the Senators-elect voting therefor.

The amendments were then adopted.

The last named amendment to the bill having made the bill an appropriation bill,

Mr. MacKay moved that the rules be suspended and that the bill be placed on its immediate passage.

The motion prevailed.

The question being on the passage of the bill,

Mr. Shields moved to amend the bill,

1. By striking out of lines 20 and 21 of section 2 the words "and supervisor of rural schools."

The question being on receiving the amendment,

Mr. Shields demanded the yeas and nays.

The amendment then was not received, a majority of the Senators-elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Fairbanks	Mr. Kline	Mr. Shields	
Bates	Fox	Mapes	Watkins	
Dickinson	Kingman	Newton	White	12

NAYS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle	
Barnaby	Fowle	Moriarty	Ward	
Bradley	Krueger	Scott	Weter	
Collins	MacKay	Smith	Whitney	16

The question being on the passage of the bill,
The bill was then passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Ward	
Anhut	Fowle	Newton	Watkins	
Barnaby	Krueger	Scott	Weter	
Bradley	MacKay	Smith	White	
Collins	Mapes	Tuttle	Whitney	22
Dickinson	Ming			

NAYS.

Mr. Bates	Mr. Fox	Mr. Kline	Mr. Shields	
Fairbanks	Kingman			6

The title of the bill was agreed to.

Mr. MacKay moved that the bill be ordered to take immediate effect.

The motion prevailed, two-thirds of all the Senators-elect voting therefor.

Mr. MacKay moved that the Senate adjourn.

The motion prevailed, the time being 4:45 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FOURTEENTH DAY.

Lansing, Thursday, January 28.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fox, Kingman, Krueger, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Taylor, Tuttle, Watkins, Weter, White, Whitney—26.

The following Senators were absent with leave: Messrs. Fowle, Kline, MacKay, Ward, Wetmore—5.

The following Senator was absent without leave: Mr. Snell—1.

Mr. Moriarty moved that leave of absence be granted to Mr. Snell from today's session.

The motion prevailed.

Mr. Scott asked and obtained leave of absence for himself from the session of February 9.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that Senate bill No. 62 (file No. 57);

Has this day been received from the printer and is on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS.

Mr. Fairbanks offered the following resolution:
Senate resolution No. 43.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns today it stand adjourned until Tuesday, February 9, at 9 o'clock p. m.

The resolution was adopted.

Mr. Aitkin offered the following resolution:
Senate resolution No. 44.

Resolved, That Senator Taylor be and is hereby authorized to take

the place of Senator Aitkin on the Committee on Geological Survey on the occasion of the visit of said committee to the Upper Peninsula, under the authorization of the Senate.

The resolution was adopted.

Mr. Moriarty offered the following resolution:

Senate resolution No. 45.

Resolved, That Miss Mayme Weed, of Crystal Falls, Michigan, be and hereby is appointed Assistant Senate Stenographer for Room B.

Mr. Moriarty moved that the rules be suspended and that the resolution be placed upon its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

PRESENTATION OF PETITIONS.

No. 5. By Mr. Mapes: Petition of Frank Kennedy and 4 other citizens of Michigan relative to the game laws.

The petition was referred to the Committee on Gaming Interests.

No. 6. By Mr. Dickinson: Petition of R. H. Fitzpatrick and 33 other citizens of Clinton county relative to firemen's pension act.

The petition was referred to the Committee on State Affairs.

No. 7. By Mr. Dickinson: Petition of J. P. Smith and 35 other citizens of Michigan relative to the game laws.

The petition was referred to the Committee on Gaming Interests.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
January 27.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 2 (file No. 2), entitled

A bill to authorize the incorporation of retail lumber dealers' mutual insurance associations;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Insurance.

The following message from the House was also received and read:

House of Representatives,
January 28.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 43.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns today it stand adjourned until Tuesday, February 9, at 9 o'clock p. m.;

In the adoption of which the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

INTRODUCTION OF BILLS.

Mr. Barnaby introduced

Senate bill No. 72, entitled

A bill to amend section 8 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," and acts amendatory thereof, being section 4815 of the Compiled Laws of 1897, as amended by section 8 of Act No. 127 of the Public Acts of 1907.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

Mr. White introduced

Senate bill No. 73, entitled

A bill relative to the adjustment and payment of claims against counties.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Counties and Townships.

Mr. White introduced

Senate bill No. 74, entitled

A bill to amend section 5 of Act No. 111 of the Public Acts of 1889, approved May 24, 1889, entitled "An act to protect fish and to regulate fishing in the waters of this State by providing closed seasons for certain kinds of fish; by prohibiting the catching of fish in certain specified ways; by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes; by prohibiting the obstruction of the free passage of fish and by prohibiting the sale of certain kinds of fish; to protect persons engaged in fish culture and to repeal inconsistent acts," as amended by Act No. 163 of the Public Acts of 1891, being section 5865 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Fisheries.

Mr. Watkins introduced

Senate bill No. 75, entitled

A bill to prohibit the bringing into prisons of all weapons, or other implements which may be used to injure any convict or person or in assisting any convict to escape from punishment, or the selling or furnishing of the same to convicts; to prohibit the bringing into prisons of all spirituous or fermented liquors, drugs, medicines, poisons, opium, morphine or any other kind or character of narcotics, or the giving, selling or furnishing of spirituous or fermented liquors, drugs, medicines, poisons, opium, morphine or any other kind or character of narcotics to convicts or paroled prisoners and providing a penalty for the violation hereof.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Prison at Jackson.

Mr. Smith introduced

Senate bill No. 76, entitled

A bill to provide for the redemption and payment of outstanding bond No. 631 for three thousand dollars of the five million dollar loan of 1837, and to make appropriation therefor.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

Mr. Watkins introduced

Senate bill No. 77, entitled

A bill relative to the payment of salary or compensation of all officers and employes of the State.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

Mr. Tuttle moved that the Senate take a recess until 2:50 o'clock p. m. The motion prevailed, the time being 2:35 o'clock p. m.

AFTER RECESS.

2:50 o'clock p. m.

The Senate was called to order by the President.

A quorum of the Senate was present.

By unanimous consent the Senate returned to the order of

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
January 28.

To the President of the Senate:

Sir:—I am instructed by the House to re-transmit to the Senate the following concurrent resolution:

House resolution No. 37.

Resolved by the House (the Senate concurring), That the rules in joint convention of 1907 be adopted as the joint convention rules of the Legislature of 1909;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution,
The resolution was adopted.

The following message from the House was also received and read:

House of Representatives,

January 28, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to re-transmit to the Senate the following concurrent resolution:

House resolution No. 36.

Resolved by the House (the Senate concurring), That the following rules be adopted as the joint rules of the Senate and the House of Representatives of 1909:

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

Rule 1. Each house shall transmit to the other all papers on which any bill or resolution shall be founded.

Rule 2. When a bill or resolution which shall have passed one house is rejected in the other, notice thereof shall be given to the house in which the same may have been passed.

Rule 3. Messages from one house to the other shall be communicated by the Secretary of the Senate and Clerk of the House of Representatives, unless the house transmitting the message shall especially direct otherwise.

Rule 4. It shall be in the power of either house to amend any amendment made by the other to any bill or resolution.

Rule 5. In every case of a difference between the two houses upon any subject of legislation, the house wherein the difference arises shall advise the other of the disagreement. Such other house shall then either recede from its position relative to the subject under consideration or insist thereon and ask for a committee of conference. Upon granting the request for a conference, the house granting the request shall name a committee consisting of three members, unless otherwise ordered, on the part of such house. The other house shall be immediately notified of the action taken and of the appointment of any such committee, and such other house shall thereon name a similar committee on the part of such house. The papers involved shall be delivered to the chairman of the committee of the house in which they originated. The two committees shall meet at such hour and place as shall be agreed on by the chairmen and state to each other the reasons for the action of their respective houses, and confer freely upon the matter of the difference.

Each committee shall report to the house on whose part it was appointed. In case of an agreement, the papers on which the difference arose shall accompany the report of the committee of the house other than the one in which such papers originated, and such report shall be first acted upon in such house and then transmitted to the other for concurrence. The report of the other committee shall be to the effect that an agreement had been reached and that a detailed report has been made to the other house, which will, if adopted by that house, be transmitted for concurrence. The vote shall first be taken in each house upon the question of the adoption of the report of the conference committee. This vote may be by yeas and nays, if the yeas and nays are demanded by the number provided for in the rules of either house. In case of the adoption of the report, the vote shall then be taken upon the question of the repassage of the bill as amended by the conference committee. This vote shall be taken by yeas and nays and shall be entered on the Journal in the same manner as votes are entered on the passage of bills on the order of third reading in each house. In case of a disagreement, each committee shall report to its own house the reasons for such disagreement.

Rule 6. It shall be in order for either house to recede from any subject matter of difference existing between the two houses at any time previous to a conference, whether the papers on which such difference has arisen are before the house receding, formally or informally. A majority shall govern, except in cases where two-thirds are required by the constitution; and the question, having been put and lost, shall not be again put the same day. The consideration thereof in other respects shall be regulated by the rules of the respective houses.

Rule 7. In case each house adheres to its disagreement, the bill which is the subject of difference shall be deemed lost, and shall not be again revived during the same session in either house, unless by consent of three-fourths of the members present of the house reviving it.

Rule 8. The same bill shall not amend or repeal more than one act of incorporation; nor shall the same bill appropriate public money or property to more than one local or private purpose. Any bill appropriating moneys for the payment of the officers of the government shall be confined to that purpose exclusively.

Rule 9. Whenever there shall be an election of any officer in joint convention the result shall be certified by the President of the Senate and the Speaker of the House of Representatives; shall be announced by the presiding officers to their respective houses; shall be entered on the Journal of each; and shall be communicated to the Governor by the Secretary of the Senate and Clerk of the House of Representatives.

Rule 10. Whenever both houses, by the constitutional vote, direct that any bill shall take effect immediately, a statement shall be added thereto at the enrollment of the bill in words to this effect: "This act is ordered to take immediate effect."

Rule 11. Whenever a bill shall have been passed by both houses of the Legislature, the objections of the Governor to the contrary notwithstanding, or whenever a concurrent resolution proposing an amendment to the constitution shall have been passed by both houses in the manner prescribed by the constitution, such bill or such concurrent resolution shall be duly enrolled and signed by the presiding officers of both houses.

The Secretary of the Senate and the Clerk of the House shall then each attach a certificate to such enrolled copy, to the effect that the same has been passed by the Senate and House respectively, in accordance with the provisions of the constitution, and shall forthwith file the same in the office of the Secretary of State.

Rule 12. The title of every bill to amend or repeal existing laws passed prior to the date of the last general compilation shall refer to the chapter of the compilation containing such act, and to the sections proposed to be amended or repealed. When bills to amend existing laws are printed, words added to such laws shall be enclosed in brackets; the omission of words shall be indicated by stars; and where the proposed alteration is of such character that it cannot readily be indicated in either of the foregoing ways, it shall be indicated by printing in italics the parts differing from the existing law.

Rule 13. The legislative postoffice shall be kept open every week day from 8 o'clock a. m. to 9 o'clock p. m., and on each Sunday from 12 o'clock noon until 1 o'clock p. m., and the mail shall be delivered to the Lansing postoffice in time for the outgoing trains on Sunday evenings;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution,
The resolution was adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on Elections:

The Committee on Elections reports

Senate bill No. 34 (file No. 31), entitled

A bill relative to the nomination of party candidates for public office and delegates to political conventions; to regulate primary elections and to prescribe penalties for violations for its provisions;

With the following amendments thereto:

1. By inserting in line 8 of section 4 after the word "shall" the word "not."

2. By striking out of line 15 of section 6 the word "removal" and inserting after the word "affiliation" the word "remarks."

3. By striking out of line 1 of section 8 the word "dates" and inserting in lieu thereof the word "date."

4. By inserting in line 3 of section 10 after the word "sickness" the word "or" and striking out after the word "precinct" the words "or other reasonable cause."

5. By inserting in line 3 of section 11 after the word "application" the word "only."

6. By inserting in line 6 of section 13 after the word "election" the words, "Provided, That a re-submission in any city shall not take place within two years after such question has been decided either affirmatively or negatively by the qualified electors of such city."

7. By striking out of line 3 of section 14 after the word "the" the word "of."

8. By striking out of line 4 of section 14 after the word "and" the word "county."

9. By inserting in line 10 of section 17 after the word "candidate" the words "or candidates, as the case may be."

10. By striking out of line 3 of section 20 after the word "party" the word "or" and inserting in lieu thereof the word "for."

11. By striking out of lines 5 and 6 of section 32 after the word "over" the words "the common council may direct that."

12. By inserting in line 49 of section 40 after the word "result" the words "by changing the nomination or causing a tie."

13. By inserting in line 51 of section 40 after the word "occurs" the words, "but not to exceed five hundred dollars shall be collected from any candidate."

14. By inserting in line 31 of section 41 after the word "one" the words, "or more."

15. By inserting in line 33 of section 41 after the word "district" the words, "Provided, That the party nominee or nominees, if more than one from the same district shall have the privilege if he or they so elect of naming the committee of the political party for the district from which he or they have been nominated."

16. By striking out of line 8 of section 46 the word "thereby" and inserting in lieu thereof the word "hereby."

17. By inserting in line 4 of section 51 after the word "provisions" the words "and all local primary election acts now in force" and striking out the word "is" and inserting in lieu thereof the word "are."

Recommend that the amendments be concurred in, and that when so amended the bill pass.

L. D. DICKINSON,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Dickinson moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

Mr. Dickinson moved that the bill be made a special order for Wednesday, February 10, at 2:30 o'clock p. m.

The motion prevailed.

Mr. Ming moved that the bill be re-printed for the use of the Senate.
The motion prevailed.

Mr. Taylor moved that the Senate adjourn.

The motion prevailed, the time being 3:30 o'clock p. m.

The President declared the Senate adjourned until Tuesday, February 9, at 9 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate

FIFTEENTH DAY.

Lansing, Tuesday, February 9.

9 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. James E. Lyons, of Lansing. The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bolt, Bradley, Collins, Fairbanks, Foster, Fowle, Fox, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Shields, Snell, Taylor, Tuttle, Watkins, Weter, Wetmore, Whitney—25.

The following Senator was absent with leave: Mr. Scott—1.

The following Senators were absent without leave: Messrs. Bates, Dickinson, Kingman, Smith, Ward, White—6.

Mr. Weter moved that leave of absence be granted to the absentees from today's session.

The motion prevailed.

Mr. Taylor asked and obtained leave of absence for Mr. Bates from tomorrow's session on account of a death in his family.

Mr. Shields asked and obtained leave of absence for Mr. White from the remaining sessions of this week.

Mr. Moriarty asked and obtained leave of absence for Mr. Smith from tomorrow's session.

Mr. Tuttle asked and obtained leave of absence for himself from tomorrow's session because of an important business engagement.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
February 9, 1909.

To the President of the Senate:

Sir:—I am addressing your honorable body in compliance with a resolution adopted by the board of control of the Michigan State Prison at a special meeting called by myself at the prison February 5, 1909.

The resolution requested the Chief Executive to send a special message to the Senate and the House of Representatives asking that a thorough legislative investigation be made of the affairs of the Michigan State Prison. It was the opinion of the board that the investigation should be thorough and comprehensive.

A resolution was adopted by the board, providing that the Auditor General and the Attorney General be requested to have an investigation of the accounts, books and records of the prison, made by an expert accountant.

Should any doubt exist as to the authority of the board or the two State officers named, to incur this expense, I would respectfully recommend that the expense be taken care of by legislative action. It is unnecessary to state that this matter should be given precedence over other legislative matters, if necessary, in order that the people of the State may be in possession of all the facts regarding the management of this institution at the earliest possible date.

Very respectfully,

FRED M. WARNER,
Governor.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that

Senate bill No. 63 (file No. 58);
Senate bill No. 64 (file No. 59);
Senate bill No. 65 (file No. 60);
Senate bill No. 66 (file No. 61);
Senate bill No. 70 (file No. 62);
Senate bill No. 71 (file No. 63);
Senate bill No. 46 (file No. 64);
Senate bill No. 38 (file No. 65);
Senate bill No. 73 (file No. 66);
Senate bill No. 74 (file No. 67);
Senate bill No. 75 (file No. 68);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

The Secretary laid before the Senate a communication from F. W. Benson, Secretary of the State of Oregon, to which was attached a resolution adopted by the House of Representatives of the State of Oregon requesting Congress to provide for the calling of a convention to propose an amendment to the constitution of the United States which shall provide that United States Senators from each state be elected by direct vote of the people.

Also a resolution adopted by the Senate of the State of Oregon on the same subject.

Also a Joint Memorial adopted by the Legislature of the State of Oregon requesting aid of the national government in the permanent construction of the main highways of the several States in the Union.

The first and second named resolutions were referred to the Committee on Elections.

The third named resolution was referred to the Committee on Roads and Bridges.

MOTIONS AND RESOLUTIONS.

Mr. Fox offered the following resolution:

Senate resolution No. 46.

Whereas, Events of recent occurrence have given rise to criticism of the management and control of the State Prison at Jackson, and charges of criminality have been made against the Warden of the said Institution, which if true, indicate that some changes should be made in the management of said prison whereby better government and a more rigid supervision may be had over said Institution, therefore be it

Resolved by the Senate (the House of Representatives concurring), That a special committee of three members of the Senate and three members of the House of Representatives be appointed and directed to visit said prison within ten days and investigate such charges and determine in their own minds if such charges are true, and if there is just and sufficient cause for a change in the management in the said prison that will secure a more honest and efficient administration of said prison, that said committee be and is hereby empowered to send for and examine all persons they deem expedient, procure and examine all books and papers and to detail or employ such clerical and stenographic assistance as they may deem necessary to secure the fullest possible information that will enable them to compile and present a thorough and complete report to this Legislature.

Mr. Fox moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion did not prevail, two-thirds of all the Senators present not voting therefor.

The resolution was then referred to the Committee on Finance and Appropriations.

INTRODUCTION OF BILLS.

Mr. MacKay introduced

Senate bill No. 78, entitled

A bill to prohibit the furnishing or giving away of food without charge in any place in this State where malt, brewed, fermented, vinous or intoxicating liquors are sold at retail.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Liquor Traffic.

Mr. Collins introduced

Senate bill No. 79, entitled

A bill to create a bureau of accounts and supervision of public offices, to provide for uniform accounts of public property and moneys, for uniform reports thereof, and for the audit and supervision of public offices and accounts; and to prescribe penalties for violations of its provisions.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Claims and Public Accounts.

Mr. Newton introduced

Senate bill No. 80, entitled

A bill making appropriations for the Michigan State Normal College for current expenses for the fiscal years ending June 30, 1910, and June 30, 1911, and for building and special purposes for said institution for the fiscal year ending June 30, 1910, and for building and special purposes for the fiscal year ending June 30, 1911; and to provide a tax to meet the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Normal College.

Mr. Snell introduced

Senate bill No. 81, entitled

A bill to amend sections 1 and 2 of Act No. 285 of the Public Acts of 1887, entitled "An act to regulate the manner in which insurance companies not organized under the laws of this State, but doing business within it, shall transact their business," being sections 5123 and 5124 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Insurance.

Mr. Aitkin introduced

Senate bill No. 82, entitled

A bill to amend Act No. 32 of the Public Acts of 1905, entitled "An act to amend the title and section 1 of Act No. 91 of the Public Acts of 1903, entitled 'An act to authorize the several courts of the State having jurisdiction in criminal cases, to hold or place persons convicted of a crime or misdemeanor on probation, under the care of probation officers provided in this act.'"

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Tuttle introduced

Senate bill No. 83, entitled

A bill to amend section 1 of Act No. 190 of the Public Acts of 1903, entitled "An act to provide for the payment of tuition in and the transportation to another district, of children who have completed the eighth grade in any school district."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. MacKay moved that the Senate adjourn.

The motion prevailed, the time being 9:20 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

SIXTEENTH DAY.

Lansing, Wednesday, February 10.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Snell, Taylor, Ward, Watkins, Weter, Wetmore, Whitney—28.

The following Senators were absent with leave: Messrs. Bates, White, Smith, Tuttle—4.

Messrs. MacKay and Snell asked and obtained leaves of absence for themselves from tomorrow's session.

COMMUNICATIONS FROM STATE OFFICERS.

To the President of the Senate:

Sir:—In accordance with the authority vested in me by resolution of your Honorable Body (duly concurred in by the House of Representatives) I recommend for appointment Dale Hodges as messenger for my office during the Session of the Legislature.

Very respectfully,
JOHN E. BIRD,
Attorney General.

The President officially announced the appointment of Dale Hodges as Attorney General's messenger.

ANNOUNCEMENTS FROM THE SECRETARY.

The Secretary laid before the Senate the following communication:

Grand Rapids, February 10, 1909.

Hon. Patrick H. Kelley, President of Senate, Lansing, Michigan:

Dear Sir:—In behalf of the officers of the Lincoln and Young Men's

Republican Clubs of Grand Rapid, I wish to cordially invite the members of the Legislature to attend the Seventeenth Annual Lincoln Club Banquet held in Grand Rapids, Friday, February 12, at 7 o'clock.

We will thank you to appoint a committee of our local Senators to ascertain the names of those members of the Senate who will honor us by accepting this invitation.

The Banquet tickets will be complimentary.

Very respectfully,

BENJAMIN S. HANCHETT,
President, Lincoln Republican Club.

Mr. Mapes moved that the communication be spread at length in the Journal.

The motion prevailed.

The President announced the appointment of Senators Barnaby and Mapes as the committee in conformity with the above communication.

PRESENTATION OF PETITIONS.

No. 8. By Mr. Bolt: Petition of A. J. Gladstone Dowie and other citizens of Muskegon county relative to a uniform system of school text books.

The petition was referred to the Committee on Education and Public Schools.

No. 9. By Mr. Bolt: Petition of J. Pelon and other citizens of Muskegon county relative to the game laws.

The petition was referred to the Committee on Gaming Interests.

No. 10. By Mr. Kingman: Petition of E. R. Sleight and other citizens of Michigan in favor of a modification of the present law relative to the employment of children.

The petition was referred to the Committee on Labor Interests.

No. 11. By Mr. Dickinson: Petition of E. O. Beardslee and 14 other citizens of Eaton county in favor of the township unit school system.

The petition was referred to the Committee on Education and Public Schools.

No. 12. By Mr. Dickinson: Petition of H. J. Miller and 54 other citizens of Barry county relative to the game laws.

The petition was referred to the Committee on Gaming Interests.

No. 13. By Mr. Foster: Petition and resolutions of the board of supervisors of Ogemaw county recommending the re-enactment of former highway laws.

The petition was referred to the Committee on Roads and Bridges.

No. 14. By Mr. Ming: Petition of J.E. Wiggins and 90 other citizens of the village of Wolverine and vicinity in favor of Senate bill No. 44.

The petition was referred to the Committee on Liquor Traffic.

MOTIONS AND RESOLUTIONS.

Mr. MacKay offered the following resolution:

Senate resolution No. 47.

Resolved, That Maurice Fitzgerald be and hereby is appointed Assistant Document Room Keeper.

The resolution was referred to the Committee on Finance and Appropriations.

Mr. Newton offered the following resolution:

Senate resolution No. 48.

Resolved by the Senate (the House of Representatives concurring), That the joint legislative committee appointed to investigate the subject of water power in this State, be and hereby is requested to submit their report not later than February 16, 1909.

The question being on the adoption of the resolution,

Mr. Weter moved that the resolution be laid on the table.

The motion prevailed.

REPORTS OF STANDING COMMITTEES.

By the Committee on Taxation:

The Committee on Taxation reports

Senate bill No. 36 (file No. 33), entitled

A bill to amend section 19 of Act No. 188 of the Public Acts of 1899, as amended by Act No. 195 of the Public Acts of 1903 and Act No. 155 of the Public Acts of 1907, entitled "An act to provide for the taxation of inheritances, transfers of property by will, transfer of property by the intestate laws of this State, or transfers of property by deed, grant, bargain, sale, or gift made in contemplation of the death of the grantor, vendor or donor, or intended to take effect in possession or enjoyment at or after such death," to make an appropriation for the provisions of this act and to provide a tax therefor;

With the recommendation that the bill pass.

EARL FAIRBANKS,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 39 (file No. 37), entitled

A bill to amend section 1 of Act No. 17 of the Public Acts of 1903, entitled "An act to amend the title and sections 1 and 29 of an act, entitled 'An act to establish, protect and enforce by lien the rights of mechanics

and other persons furnishing labor or materials for building, altering, improving, repairing, erecting or ornamenting of buildings, machinery, wharves, and all other structures; and to repeal all acts contravening the provisions of this act,' being chapter 296 of the Compiled Laws of the State of Michigan of 1897," approved March 26, 1903;

With the recommendation that the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Insurance:

The Committee on Insurance reports

House bill No. 2 (file No. 2), entitled

A bill to authorize the incorporation of retail lumber dealers' mutual insurance associations;

With the recommendation that the bill pass.

J. H. WHITNEY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

INTRODUCTION OF BILLS.

Mr. Kline introduced

Senate bill No. 84, entitled

A bill to punish the making, circulating or transmitting of statements, rumors or suggestions derogatory to the financial condition or standing of a bank.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Banks and Corporations.

Mr. Kline introduced

Senate bill No. 85, entitled

A bill to repeal Act No. 205 of the Public Acts of 1877, as amended, entitled "An act to provide for the incorporation of societies for the receiving, loaning and investing of money."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Banks and Corporations.

Mr. Kline introduced

Senate bill No. 86, entitled

A bill to repeal Act No. 68 of the Public Acts of 1893, as amended, entitled "An act to provide for the incorporation of supreme, grand and subordinate lodges of the United Home Protectors' Fraternity, a co-operative, fraternal building and loan society or order."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Banks and Corporations.

Mr. Kline introduced

Senate bill No. 87, entitled

A bill to amend sections 36, 38 and 55 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," as amended, the same being sections 6125, 6127 and 6144 of the Compiled Laws of 1897, as amended.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Banks and Corporations.

Mr. Kline introduced

Senate bill No. 88, entitled

A bill to repeal sections 41, 42, 60, 63, 65, 66, 68, 69 and 70 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," as amended, the same being sections 6130, 6131, 6149, 6152, 6154 and 6155 of the Compiled Laws of 1897, and Act No. 274 of the Public Acts of 1907.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Banks and Corporations.

Mr. Anhut introduced

Senate bill No. 89, entitled

A bill to provide for the safety of employes in train service of all common carriers by railroad in the State of Michigan.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Railroads.

Mr. Fox introduced

Senate bill No. 90, entitled

A bill to amend sections 13 and 15 of Act No. 108 of the Public Acts of 1907, entitled "An act to provide for the assessment of money taxes for highway purposes and to repeal chapter 2, 'Assessments for highway purposes,' and chapter 3, 'The performance of Labor on Highways and the Commutation therefor' of Act No. 243 of the Public Acts of 1881, as amended, being Compiler's sections 4072 to 4103, inclusive, of the Compiled Laws of 1897, and all acts and parts of acts inconsistent with the provisions hereof."

The bill was read a first and second time by its title and referred to the Committee on Roads and Bridges.

Mr. Ming introduced

Senate bill No. 91, entitled

A bill to prescribe the liability of common carrier railroad companies and persons, copartnerships, firms, associations and corporations owning or operating railroads, not common carriers, to their employes.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Railroads.

Mr. Kline introduced

Senate bill No. 92, entitled

A bill relative to the payment of deposits made with any bank or trust company in the name of two or more persons.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Banks and Corporations.

Mr. MacKay introduced
Senate bill No. 93, entitled

A bill to annex certain territory in the townships of Hamtramck and Gratiot to the city of Detroit, county of Wayne and State of Michigan.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Cities and Villages.

Mr. Snell introduced
Senate bill No. 94, entitled

A bill to fix the rates of toll or fare which any tram railway, street railway, interurban or suburban railway company and any other railroad or railway company which is operated by electricity as a motive power, may charge for the transportation of persons or passengers over their road in this State, to provide a penalty for the violation hereof, to make it the duty of the Michigan Railroad Commission to ascertain the number of miles of railroad or trackage to which this act applies, and to repeal all acts or parts of acts contravening the provisions of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Railroads.

Mr. Newton introduced
Senate bill No. 95, entitled

A bill to provide for a board of jury commissioners in each county in this State; to prescribe the manner of selecting jurors and prescribing punishment for a violation of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Bolt introduced
Senate bill No. 96, entitled

A bill to provide for the examination, regulation, licensing and registration of optometrists practicing optometry and for the punishment of offenders against this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Public Health.

Mr. Moriarty introduced
Senate bill No. 97, entitled

A bill to amend sections 1 and 7 of Act No. 88 of the Public Acts of 1899, entitled "An act to amend sections 1 and 2 and to add sections 6 and 7 of Act No. 151 of the Public Acts of 1897, entitled 'An act to regulate the catching of fish in the waters of this State by the use of pound or trap nets, gill nets, seines or other apparatus.'"

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Fisheries.

Mr. Taylor introduced
Senate bill No. 98, entitled .

A bill to amend the title and section 1 of Act No. 191 of the Public Acts of 1881, entitled "An act to prohibit railroad companies from carrying on passenger trains any kerosene, benzine, naphtha, gasoline, or any inflammable oil or fluid other than as may be necessary to light or lubricate the cars composing the train on which such oil is carried," the same being section 11522 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Railroads.

Mr. Newton moved that the Senate return to the order of motions and resolutions.

The motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Newton moved that Senate resolution No. 48 be taken from the table.

The motion prevailed.

The question being on the adoption of the resolution,

Mr. Newton moved that the resolution be amended to read as follows:
Senate resolution No. 48.

Resolved by the Senate (the House of Representatives concurring), That the joint legislative committee appointed to investigate the subject of water power in this State, be and hereby are requested to submit a report not later than February 16, 1909.

The motion prevailed.

The question being on the adoption of the resolution, as amended,

Mr. Newton demanded the yeas and nays.

The resolution was then adopted, a majority of the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Bradley
Dickinson
Foster
Kingman

Mr. Kline
Krueger
MacKay
Mapes

Mr. Ming
Moriarty
Newton
Scott

Mr. Snell
Taylor
Watkins
Wetmore

17

NAYS.

Mr. Anhut
Barnaby
Bolt

Mr. Collins
Fairbanks
Fowle

Mr. Fox
Shields
Ward

Mr. Weter
Whitney

11

SPECIAL ORDER.

2:30 o'clock p. m.

The President announced that the hour had arrived for the special order and laid before the Senate

Senate bill No. 34 (file No. 31), entitled

A bill relative to the nomination of party candidates for public office and delegates to political conventions; to regulate primary elections and to prescribe penalties for violations of its provisions.

Mr. Dickinson moved that the consideration of the special order be postponed until Wednesday, February 17, at 2:30 o'clock p. m.

The motion prevailed.

Mr. Bradley moved that the Senate take a recess until 3 o'clock p. m. The motion prevailed, the time being 2:35 o'clock p. m.

AFTER RECESS.

3 o'clock p. m.

The Senate was called to order by the President.

A quorum of the Senate was present.

By unanimous consent the Senate returned to the order of

REPORTS OF STANDING COMMITTEES.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations to which was referred the following resolution:

Senate resolution No. 46.

Resolved by the Senate (the House of Representatives concurring), That a special committee of three members of the Senate and three members of the House of Representatives be appointed and directed to visit said prison within ten days and investigate such charges and determine in their own minds if such charges are true, and if there is just and sufficient cause for a change in the management of said prison that will secure a more honest and efficient administration of said prison, that said committee be and is hereby empowered to send for and examine all persons they deem expedient, procure and examine all books and papers and

to detail or employ such clerical and stenographic assistance as they may deem necessary to secure the fullest possible information that will enable them to compile and present a thorough and complete report to this Legislature;

Have had the same under consideration and report the same back to the Senate with the accompanying substitute therefor and recommend that the substitute be adopted:

Substitute for Senate resolution No. 46.

Whereas, Events of recent occurrence have given rise to criticism of the management and control of the State Prison at Jackson, and charges of criminality have been made against the warden of the said institution, which, if true, indicate that some changes should be made in the management of said prison whereby better government and a more rigid supervision may be had over said institution, therefore be it

Resolved by the Senate (the House of Representatives concurring), That a joint committee, consisting of the members of the Senate and House committees on State Prison at Jackson, be appointed by the permanent presiding officers of said bodies to fully, fairly, thoroughly and impartially investigate such charges, and determine in their own minds if such charges are true, and if there is just and sufficient cause for a change in the management of said prison; and be it further

Resolved, That in the exercise of the power conferred upon them the said committee, by subpoena issued over the signature of the chairman or acting chairman of the committee and served in the manner that a circuit court subpoena is served, may summon and compel the attendance of witnesses and the production of books, papers, documents and records necessary or convenient to be examined or used by them as witnesses and may do all things which may to them appear to be necessary or convenient to a full examination and investigation as directed herein; and be it further

Resolved, That the committee shall have power to employ stenographers, clerks and assistants and such other persons as they may deem necessary to a full and complete examination and investigation as herein directed; and be it further

Resolved, That the Attorney General be, and hereby is, authorized and directed to co-operate with the said committee, and to render such assistance as may be desired and act as legal advisor to said committee in conducting the investigation herein directed; and be it further

Resolved, That the committee shall have power, by any member thereof, to administer to persons produced or appearing before them as witnesses all necessary oaths and also to punish for contempt as is provided by law; and be it further

Resolved, That any person appearing and testifying under oath before such committee, such evidence so given shall not be used as evidence in any criminal prosecution against him in any court except in a prosecution for perjury committed in giving such testimony; and be it further

Resolved, That such committee shall report to the Senate and House of Representatives, in full upon such matters with the evidence and their recommendations thereon on or before March 15, 1909;

Provided, That if a grand jury shall be called to investigate the existing conditions in said State Prison at Jackson within ten days from this

date, the joint legislative investigating committee herein provided for, shall be relieved from further consideration of the matter.

FRED B. KLINE,
WILLIAM H. BRADLEY,
EARL FAIRBANKS,

A majority of the Committee.

The report was accepted and adopted and the committee discharged.
The question being on the adoption of the substitute,
The substitute was adopted.

The president announced as the committee on the part of the Senate, Senators MacKay, Moriarty and Newton.

By unanimous consent the Senate returned to the order of

MOTIONS AND RESOLUTIONS.

Mr. Watkins offered the following resolution:

Senate resolution No. 49.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate and the Clerk of the House of Representatives be instructed to mail copies of the Daily Journal to the secretaries of all the local clubs which form the State Association of Farmers' Clubs.

Mr. Watkins moved that the rules be suspended and that the resolution be placed upon its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Snell moved that the committee of the whole be discharged from the further consideration of the following bills:

Senate bill No. 8 (file No. 8), entitled

A bill to provide for the regulation of the sale by dealers and the keeping on hand by consumers, of gasoline, benzine or naphtha;

Also:

Senate bill No. 9 (file No. 9), entitled

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to repeal Act No. 127, Laws of 1879, as amended by Act No. 49 of the Laws of 1881, Act No. 2 of the Laws of 1883, Act No. 71 of the Laws of 1891, and Act No. 94 of the Laws of 1893;

Also:

Senate bill No. 10 (file No. 10), entitled

A bill to prohibit the use of petroleum, coal or kerosene oil for illuminating or heating purposes which have been adulterated, or which will emit a combustible vapor at a temperature of one hundred twenty or less degrees Fahrenheit's thermometer, and to repeal Act No. 241 of the Public Acts of 1899, entitled "An act to prohibit the use of the

products of petroleum for illuminating purposes which have been adulterated, or which will emit a combustible vapor at a temperature less than one hundred twenty-one degrees Fahrenheit's thermometer."

Mr. Snell moved that the above entitled bills be made a special order for Thursday, February 18, 1909, at 3 o'clock p. m.

The motion prevailed.

By unanimous consent the Senate took up to the order of

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
February 10.

To the President of the Senate:

Sir:—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 52.

Resolved by the House of Representatives (the Senate concurring), That the Speaker of the House appoint five members of the House and that the President of the Senate appoint three members of the Senate as a joint committee to investigate the administrative affairs of the State Prison at Jackson;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution, Mr. Mapes moved that the resolution be laid on the table.

The motion prevailed.

Mr. Fox moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Anhut to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 21 (file No. 18), entitled

A bill to amend section 1 of Act No. 337 of the Public Acts of 1907, entitled "An act regulating the loaning of money when, as security

for such loan, a lien is taken upon household furniture and effects, musical instruments, typewriters and sewing machines or any other personal chattels, or any assignment or transfer of any salary or part thereof, and prescribing penalties for the violation of the act;”

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in and recommend that, as amended, the bill pass.

The committee of the whole has also had under consideration the following:

Senate bill No. 38 (file No. 65), entitled

A bill to repeal sections 17 and 18 of Act No. 154 of the Public Acts of 1903, entitled “An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 15 and 16 of Act No. 176 of the Public Acts of 1891, entitled ‘An act for the organization of township school districts in the Upper Peninsula,’ being compiler’s sections 4823, 4824, 4825, 4826, 4827, 4828, 4829, 4830, 4831, 4833, 4834, 4837, and 4838 of the Compiled Laws of 1897,” and to add one new section thereto to stand as section 17;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

Also:

Senate bill No. 39 (file No. 37), entitled

A bill to amend section 1 of Act No. 17 of the Public Acts of 1903, entitled “An act to amend the title and sections 1 and 29 of an act, entitled ‘An act to establish, protect and enforce by lien the rights of mechanics and other persons furnishing labor or materials for building, altering, improving, repairing, erecting or ornamenting of buildings, machinery, wharves, and all other structures, and to repeal all acts contravening the provisions of this act,’ being chapter 296 of the Compiled Laws of the State of Michigan of 1897,” approved March 26, 1903;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

Also:

Senate bill No. 49 (file No. 45), entitled

A bill to amend section 2 of Act No. 222 of the Public Acts of 1895, entitled “An act to provide for the appointment of a board of commissioners who shall have the management and control of the Mackinac Island State Park, and defining its powers and duties,” being section 1258 of the Compiled Laws of 1897;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

Also:

Senate bill No. 36 (file No. 33), entitled

A bill to amend section 19 of Act No. 188 of the Public Acts of 1899, as amended by Act No. 195 of the Public Acts of 1903, and Act No. 155 of the Public Acts of 1907, entitled “An act to provide for the taxation of inheritances, transfers of property by will, transfer of property by the intestate laws of this State, or transfers of property by deed, grant, bargain, sale, or gift made in contemplation of the death of the grantor, vendor, or donor, or intended to take effect in possession or enjoyment at or after such death,” to make an appropriation for the provisions of this act and to provide a tax therefor;

And has directed its chairman to report the same back to the Senate, with the recommendation that the bill be referred to the Committee on Finance and Appropriations.

Also:

House bill No. 2 (file No. 2), entitled

A bill to authorize the incorporation of retail lumber dealers' mutual insurance associations;

And has directed its chairman to report the same back to the Senate, but not having completed the consideration thereof, reports progress and asks leave to sit again on the bill.

JOHN N. ANHUT,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the second, third and fourth named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendments made to the first named bill in the report and the bill was placed on the order of third reading of bills.

The Senate concurred in the recommendation of the committee regarding the fifth named bill in the report and the bill was referred to the Committee on Finance and Appropriations.

The Senate concurred in the recommendation of the committee regarding the sixth named bill in the report and the committee was granted leave to sit again on the bill.

THIRD READING OF BILLS.

Senate bill No. 38 (file No. 65), entitled

A bill to repeal sections 17 and 18 of Act No. 154 of the Public Acts of 1903, entitled "An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 15 and 16 of Act No. 176 of the Public Acts of 1891, entitled 'An act for the organization of township school districts in the Upper Peninsula,' being compiler's sections 4823, 4824, 4825, 4826, 4827, 4828, 4829, 4830, 4831, 4833, 4834, 4837 and 4838 of the Compiled Laws of 1897," and to add one new section thereto to stand as section 17;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. MacKay	Mr. Snell
Anhut	Foster	Mapes	Taylor
Barnaby	Fowle	Ming	Ward
Bolt	Fox	Moriarty	Watkins
Bradley	Kingman	Newton	Weter
Collins	Kline	Scott	Wetmore
Dickinson	Krueger	Shields	Whitney

28

NAYS.

0

The title of the bill was agreed to.

Messrs. Fox and Wetmore asked and obtained leaves of absence for themselves from the balance of today's session.

Senate bill No. 49 (file No. 45), entitled

A bill to amend section 2 of Act No. 222 of the Public Acts of 1895, entitled "An act to provide for the appointment of a board of commissioners who shall have the management and control of the Mackinac Island State Park, and defining its powers and duties," being section 1258 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. MacKay	Mr. Snell	
Anhut	Foster	Mapes	Taylor	
Barnaby	Fowle	Ming	Ward	
Bolt	Fox	Moriarty	Watkins	
Bradley	Kingman	Newton	Weter	
Collins	Kline	Scott	Whitney	
Dickinson	Krueger	Shields		27

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 39 (file No. 37), entitled

A bill to amend section 1 of Act No. 17 of the Public Acts of 1903, entitled "An act to amend the title and sections 1 and 29 of an act, entitled 'An act to establish, protect and enforce by lien the rights of mechanics and other persons furnishing labor or materials for building, altering, improving, repairing, erecting or ornamenting of buildings, machinery, wharves, and all other structures; and to repeal all acts contravening the provisions of this act,' being chapter 296 of the Compiled Laws of the State of Michigan of 1897," approved March 26, 1903;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Snell	
Anhut	Foster	Ming	Taylor	
Barnaby	Fowle	Moriarty	Ward	
Bolt	Kingman	Newton	Watkins	
Bradley	Kline	Scott	Weter	
Collins	Krueger	Shields	Whitney	
Dickinson	MacKay			26

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 21 (file No. 18), entitled

A bill to amend section 1 of Act No. 337 of the Public Acts of 1907, entitled "An act regulating the loaning of money when, as security for such loan, a lien is taken upon household furniture and effects, musical instruments, typewriters and sewing machines or any other personal chattels, or any assignment or transfer of any salary or part thereof, and prescribing penalties for the violation of the act;"

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Snell	
Anhut	Foster	Ming	Taylor	
Barnaby	Fowle	Moriarty	Ward	
Bolt	Kingman	Newton	Watkins	
Bradley	Kline	Scott	Weter	
Collins	Krueger	Shields	Whitney	
Dickinson	MacKay			26

NAYS.

0

The title of the bill was agreed to.

Mr. Moriarty moved that when the Senate adjourns today, it stand adjourned until tomorrow at 10 o'clock a. m.

The motion prevailed.

Mr. Snell moved that the Senate adjourn.

The motion prevailed, the time being 4:20 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 10 o'clock a. m.

ELBERT V. CHILSON,
Secretary of the Senate.

SEVENTEENTH DAY.

Lansing, Thursday, February 11.

10 o'clock a. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, Whitney—29.

The following Senators were absent with leave: Messrs. MacKay, Snell, White—3.

Messrs. Collins, Fairbanks, Kingman, Kline, Ming, Scott, Wetmore and Whitney asked and obtained leaves of absence for themselves from Monday evening's session.

PRESENTATION OF PETITIONS.

Nos. 15 and 16. By Mr. Moriarty: Resolutions adopted by the Boards of Supervisors of Gogebic and Alger counties in favor of the establishment and maintenance in the Upper Peninsula of a sanatorium for the treatment of persons suffering from tuberculosis.

Mr. Moriarty moved that the resolutions be spread at length in the Journal.

The motion prevailed.

The following are the resolutions:

Resolved, by the Board of Supervisors of Gogebic county, That we request our Senator, Hon. M. H. Moriarty, and our Representative, Hon. James S. Monroe, to use all honorable means to have a law enacted at the present session of the Michigan Legislature for the establishment and maintenance in the Upper Peninsula of a sanatorium for the treatment of persons suffering with tuberculosis, at such place as the Legislature may designate, if such location can be agreed upon, and in case it can-

not be agreed upon, then at such place as the State Board of Health shall designate, such institution to be maintained by and under the control of the State, and be it further

Resolved, That the clerk of this board transmit a copy of this resolution to such Senator and Representative at once; and be it further

Resolved, That the clerk of this board transmit a copy of this resolution to the clerks of the several counties of the Upper Peninsula as soon as possible; and be it further

Resolved, That the anti-tuberculosis leagues and county medical societies of the Upper Peninsula be requested to adopt resolutions favoring the establishment of a tuberculosis sanatorium in the Upper Peninsula, and that a copy of said resolutions be forwarded to the legislators representing their respective districts; and be it further

Resolved, That Sherman T. Handy be appointed to draft a bill providing for the establishment of a tuberculosis sanatorium in the Upper Peninsula, and that said bill be introduced in the Legislature now in session.

The above resolutions were unanimously adopted by the Board of Supervisors of Gogebic county, Michigan, at a regular meeting held at the court house in the city of Bessemer, January 26, 1909.

JOHN LUXMORE, JR.,
County Clerk.

Resolved, by the Board of Supervisors of Alger county, That we request our Senator, Hon. M. H. Moriarty, and our Representative, Hon. W. R. Burns, to use all honorable means to have a law enacted at the present session of the Michigan Legislature for the establishment and maintenance in the Upper Peninsula of a sanatorium for the treatment of persons suffering with tuberculosis, at such place as the Legislature may designate, if such location can be agreed upon, and in case it cannot be agreed upon, then at such place as the State Board of Health shall designate, such institution to be maintained by and under the control of the State; and be it further

Resolved, That the clerk of this board transmit a copy of this resolution to such Senator and Representative at once.

The above resolution was unanimously adopted by the Board of Supervisors of Alger county, Michigan, at a meeting held at the court house in the village of Munising, on January 20, 1909.

EUGENE THERIEN,
Deputy County Clerk.

No. 17. By Mr. Whitney: Petition of Wm. B. Baum and ten other citizens of Saginaw county in favor of the Giles optometry bill.

The petition was referred to the Committee on Public Health.

No. 18. By Mr. Whitney: Petition of Christ Dill and other citizens of Saginaw county protesting against the passage of an act making the township unit system compulsory in the Lower Peninsula.

The petition was referred to the Committee on Education and Public Schools.

No. 19. By Mr. Taylor: Petition of C. R. Jackson and 218 other citizens of St. Joseph county asking for the repeal of the law allowing the taking of ciscoes with nets and the passage of a law prohibiting the use of nets or spears of any kind in the lakes or streams of St. Joseph county.

The petition was referred to the Committee on Fisheries.

REPORTS OF STANDING COMMITTEES.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations reports

Senate bill No. 36 (file No. 33), entitled

A bill to amend Section 19 of Act No. 188 of the Public Acts of 1899, as amended by Act No. 195 of the Public Acts of 1903, and Act No. 155 of the Public Acts of 1907, entitled "An act to provide for the taxation of inheritances, transfers of property by will, transfer of property by the intestate laws of this State, or transfers of property by deed, grant, bargain, sale, or gift made in contemplation of the death of the grantor, vendor or donor, or intended to take effect in possession or enjoyment at or after such death," to make an appropriation for the provisions of this act and to provide a tax therefor;

With the recommendation that the bill pass.

FRED B. KLINE,

EARL FAIRBANKS,

WILLIAM H. BRADLEY,

A majority of the committee.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the rules be suspended and that the bill be placed upon its immediate passage.

The motion prevailed.

THIRD READING OF BILLS.

Senate bill No. 36 (file No. 33), entitled

A bill to amend section 19 of Act No. 188 of the Public Acts of 1899, as amended by Act No. 195 of the Public Acts of 1903, and Act No. 155 of the Public Acts of 1907, entitled "An act to provide for the taxation of inheritances, transfers of property by will, transfer of property by the intestate laws of this State, or transfers of property by deed, grant, bargain, sale, or gift made in contemplation of the death of the grantor, vendor or donor or intended to take effect in possession or enjoyment at or after such death," to make an appropriation for the provisions of this act and to provide a tax therefor;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Anhut
Barnaby

Mr. Fairbanks
Foster
Fox

Mr. Ming
Moriarty
Newton

Mr. Tuttle
Ward
Watkins

Mr. Bolt	Mr. Kingman	Mr. Scott	Mr. Weter	
Bradley	Kline	Shields	Wetmore	
Collins	Krueger	Smith	Whitney	
Dickinson	Mapes	Taylor		27

NAYS.

0

The title of the bill was agreed to.

Mr. Wetmore moved that the bill be ordered to take immediate effect.

The motion prevailed, two-thirds of all the Senators-elect voting therefor.

INTRODUCTION OF BILLS.

Mr. Aitkin introduced

Senate bill No. 99, entitled

A bill to amend section 37 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," said section being compiler's section number 399 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Anhut introduced

Senate bill No. 100, entitled

A bill to provide for the safety of the traveling public on railroads in the State of Michigan.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Railroads.

Mr. Watkins moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Foster to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee has had under consideration the following:

House bill No. 2 (file No. 2), entitled

A bill to authorize the incorporation of retail lumber dealers' mutual insurance associations;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

The committee of the whole has also had under consideration the following:

Senate bill No. 27 (file No. 24), entitled

A bill to provide for the registration of and to regulate the employment of legislative lobby counsel and agents; to provide for the filing of expense accounts of said counsel and agents; and to provide a penalty for violations of this act;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in and recommend that, as amended, the bill pass.

EUGENE FOSTER,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first named bill in the report and the bill was placed on the order of third reading of bills.

The Senate concurred in the amendments made to the second named bill in the report and the bill was placed on the order of third reading of bills.

THIRD READING OF BILLS.

House bill No. 2 (File No. 2), entitled

A bill to authorize the incorporation of retail lumber dealers' mutual insurance associations;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Krueger	Mr. Smith
Anhut	Fairbanks	Mapes	Taylor
Barnaby	Foster	Ming	Tuttle
Bates	Fowle	Moriarty	Ward
Bolt	Fox	Newton	Watkins
Bradley	Kingman	Scott	Wetmore
Collins	Kline	Shields	Whitney

28

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 27 (file No. 24), entitled

A bill to provide for the registration of and to regulate the employment of legislative lobby counsel and agents; to provide for the filing of expense accounts of said counsel and agents; and to provide a penalty for violations of this act;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Kline	Mr. Shields
Anhut	Fairbanks	Krueger	Taylor
Barnaby	Foster	Mapes	Tuttle
Bates	Fowle	Ming	Ward
Bolt	Fox	Newton	Watkins
Bradley	Kingman	Scott	Wetmore
Collins			

25

NAYS.

Mr. Moriarty	Mr. Smith	Mr. Whitney	3
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The question being on agreeing to the title,

Mr. Tuttle moved to amend the title so as to read as follows:

"A bill to prohibit corrupt lobbying and to provide for the registration of and to regulate the employment of legislative lobby counsel and agents; to provide for the filing of expense accounts of said counsel and agents; and to provide a penalty for violations of this act."

The motion prevailed.

The title, as amended, was then agreed to.

By unanimous consent the Senate returned to the order of

MOTIONS AND RESOLUTIONS.

Mr. Mapes offered the following resolution:

Senate resolution No. 50.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns today it stand adjourned until Monday, February 15, at 9 o'clock p. m.

The resolution was adopted.

Mr. Moriarty moved that the Senate take a recess until 2 o'clock p. m.

The motion prevailed, the time being 11:30 o'clock a. m.

AFTER RECESS.

2 o'clock p. m.

The Senate was called to order by the President.

A quorum of the Senate was present.

The Senate took up the order of

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
February 11, 1909.

To the President of the Senate:

Sir—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 50.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns today it stand adjourned until Monday, February 15, at 9 o'clock p. m.;

In the adoption of which the House has concurred.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The following message from the House was also received and read:

House of Representatives,
February 11, 1909.

To the President of the Senate:

Sir—I am instructed by the House to transmit the following bill:

House bill No. 17 (file No. 7), entitled

A bill to amend section 14 of Act No. 111 of the Public Acts of 1889, entitled "An act to protect fish and to regulate fishing in the waters of this State, by providing close seasons for certain kinds of fish, by prohibiting the catching of fish in certain specified ways, by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes, by prohibiting the catching and killing in the lakes, rivers and streams of this State of more than a certain number of certain specified kinds of fish in any one day, by prohibiting the taking away and having possession of more than a certain number of such fish at any point away therefrom, by prohibiting the obstruction of the free passage of fish, and by prohibiting the sale of certain kinds of fish, to protect persons engaged in fish culture, and to repeal inconsistent acts," being compiler's section 5874 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Fisheries.

Mr. Moriarty moved that the Senate adjourn.

The motion prevailed, the time being 2:30 o'clock p. m.

The President declared the Senate adjourned until Monday, February 15, at 9 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

EIGHTEENTH DAY.

Lansing, Monday, February 15.

9 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Barnaby, Bates, Bolt, Dickinson, Foster, Fowle, Fox, Mapes, Moriarty, Newton, Smith, Taylor, Tuttle, Ward, Weter—16.

The following Senators were absent with leave: Messrs. Collins, Fairbanks, Kingman, Kline, Ming, Scott, Wetmore, Whitney—8.

The following Senators were absent without leave: Messrs. Anhut, Bradley, Krueger, MacKay, Shields, Snell, Watkins, White—8.

The President announced that there was not a quorum of the Senate present.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

NINETEENTH DAY.

Lansing, Tuesday, February 16.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. Horace Cady Wilson, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Taylor, Ward, Weter, Wetmore, White—27.

The following Senators were absent without leave: Messrs. Bradley, Snell, Tuttle, Watkins, Whitney—5.

Mr. MacKay moved that leave of absence be granted to the absentees from today's session.

The motion prevailed.

Mr. MacKay asked and obtained leave of absence for Mr. Snell from the remaining sessions of this week.

Mr. Newton asked and obtained leave of absence for Mr. Watkins from the remaining sessions of this week.

Mr. Barnaby moved that leaves of absence be granted to the absentees from yesterday's session.

The motion prevailed.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that
Senate bill No. 78 (file No. 69);
Senate bill No. 79 (file No. 70);
Senate bill No. 80 (file No. 71);
Senate bill No. 81 (file No. 72);

Senate bill No. 82 (file No. 73);
Senate bill No. 83 (file No. 74);
Senate bill No. 84 (file No. 75);
Senate bill No. 85 (file No. 76);
Senate bill No. 86 (file No. 77);
Senate bill No. 87 (file No. 78);
Senate bill No. 88 (file No. 79);
Senate bill No. 89 (file No. 80);
Senate bill No. 91 (file No. 81);
Senate bill No. 92 (file No. 82);
Senate bill No. 93 (file No. 83);
Senate bill No. 94 (file No. 84);
Senate bill No. 95 (file No. 85);
Senate bill No. 96 (file No. 86);
Senate bill No. 97 (file No. 87);
Senate bill No. 98 (file No. 88);
Senate bill No. 99 (file No. 89);
Senate bill No. 100 (file No. 90);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

The Secretary laid before the Senate the following communication:

Lansing, Feb. 16, 1909.

To the President of the Senate:

Sir:—I request leave of absence from the remaining sessions of the Senate for this week. I make the request for the reason that I am unexpectedly in the midst of a criminal law suit that demands my entire attention.

Very respectfully,
A. J. TUTTLE,
Senator, 14th District.

Mr. Taylor moved that the request of Mr. Tuttle be granted.
The motion prevailed.

PRESENTATION OF PETITIONS.

No. 20. By Mr. Fox: Petition of W. H. Daniels and other citizens of Tuscola county asking for the abolishment of the office of State Highway Commissioner and declaring in favor of the enactment of a law providing for the township road system.

The petition was referred to the Committee on Roads and Bridges.

No. 21. By Mr. Foster: Petition of O. Palmer and 59 other citizens of Grayling in favor of the Giles optometry bill.

The petition was referred to the Committee on Public Health.

No. 22. By Mr. Kingman: Petition of the Woman's League of Battle Creek and 300 other residents of Battle Creek in favor of the passage of a bill similar to the New York law for the restriction and prevention of tuberculosis, and to increase the capacity of the State Sanatorium at Howell.

The petition was referred to the Committee on Public Health.

No. 23. By Mr. Kingman: Petition of C. S. Patton and 400 other citizens of Ann Arbor on the same subject.

The petition was referred to the Committee on Public Health.

No. 24. By Mr. Bates: Protest of H. G. Bowman and 56 other citizens of the eighth senatorial district of Michigan against the passage of any bill raising or fixing the rates for fraternal insurance.

The protest was referred to the Committee on Insurance.

No. 25. By Mr. Bates: Petition of Milo F. Gray and 17 other citizens of the eighth senatorial district of Michigan on the same subject.

The petition was referred to the Committee on Insurance.

No. 26. By Mr. Bates: Petition of W. F. Rose and 9 other citizens of the eighth senatorial district of Michigan on the same subject.

The petition was referred to the Committee on Insurance.

No. 27. By Mr. Ming: Petition of F. D. Scott and 45 other citizens of the city of Alpena in favor of the Giles optometry bill.

The petition was referred to the Committee on Public Health.

No. 28. By Mr. Bolt: Petition of C. W. Sessions and 31 other citizens of Muskegon in favor of the Giles optometry bill.

The petition was referred to the Committee on Public Health.

No. 29. By Mr. Bolt: Protest of H. Barnum and 42 other citizens of Muskegon against the passage of any bill raising or fixing the rates for fraternal insurance.

The protest was referred to the Committee on Insurance.

No. 30. By Mr. Kline: Petition of C. B. Southworth and 27 other citizens of Monroe in favor of the Giles optometry bill.

The petition was referred to the Committee on Public Health.

No. 31. By Mr. Moriarty: Protest of John Parker and 5 other commercial fishermen of Michigan against the taking of blue fins, black fins, siscowet trout, and other species of rough fish, so-called, except perch and herring, with a mesh of less than three and one-half inches, extension measure, and recommending the passage of a law prohibiting the use of gill nets of less than three and one-half inch mesh, extension measure, in any of the waters of this State, for the taking of the aforesaid named fish.

The protest was referred to the Committee on Fisheries.

No. 32. By Mr. Scott: Protest of the members of the New Boston Camp, No. 11251, M. W. of A., New Boston, Michigan, against the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 33. By Mr. Bates: Petition of G. A. Bachman and more than 100 other citizens of Michigan relative to the game laws.

Mr. Bates moved that the petition be spread at length in the Journal. The motion prevailed.

The petition is as follows:

We, the undersigned citizens of Michigan, request:

That you do not pass any law placing a special tax upon a hunter's gun.

That you do not pass any law requiring the killing of any particular sex or age of deer.

That the present law, giving to each licensed hunter the privilege of killing two deer, shall remain the same.

That a bounty be given for the killing of wolves that will be a sufficient incentive and remuneration for the hunting of the same and that the parties hunting wolves as a business shall have authority and license to use dogs for hunting wolves, and that such licensed hunters shall give bond to the State for the proper and judicious use of said dogs in the pursuance of the same.

We suggest that more deer are being killed by resorters, campers, trappers and wolves than by licensed hunters and that a closer, more rigid and perfect enforcement of the laws should be made; and that a sufficient number of deputy State game wardens be hired by the State to keep an independent and closer relation with the conditions heretofore related.

All of which we submit to you for your consideration and support.

MOTIONS AND RESOLUTIONS.

Mr. Fox offered the following resolution:

Senate resolution No. 51.

Whereas, The question of establishing a parcels post in this country is being discussed, and we understand a bill has already been introduced in Congress to establish the parcels post which, in our judgment, would be detrimental to business interests, as the local dealer and small manufacturer would practically be put out of business; it would tend to the rapid concentration of business in the large trade centers and result in congestion of humanity in such points; and

Whereas, Human life under such conditions becomes cramped, vice, crime and disease would be rampant in the slums of our great cities; and

Whereas, It would eliminate the smaller towns which are the easiest and most natural market for the farmer, his small produce would then have to be shipped to the large cities where he would certainly become the prey of the commission houses whose methods of operation are well known; the only competition then would be that of advertising and the one capable of producing the most attractive advertisement would win in the end; and

Whereas, The nearby country town now gives to the farmer and his family social and educational advantages which would be almost inaccessible were it not for the existence of such communities or towns. Take away this business and economic support of such a community or town and it becomes stagnant, its ambitious and progressive citizens would migrate to other fields and the town is left to decay; therefore be it

Resolved by the Senate (the House of Representatives concurring), That we urge upon our members in Congress to use all honorable means to defeat the parcels post bill, and that the Secretary of State be directed to send to our members of Congress a copy of this resolution.

The question being on the adoption of the resolution,

Mr. Fox moved that the resolution be referred to the Committee on Federal Relations.

The motion prevailed.

REPORTS OF STANDING COMMITTEES.

By the Committee on Railroads:

The Committee on Railroads reports

Senate bill No. 14 (file No. 12), entitled

A bill relating to the liability of common carriers in the State of Michigan to their employes;

With the recommendation that the bill pass.

ERASTUS N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Ming moved that the bill be laid on the table.

The motion prevailed.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
February 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 60 (file No. 26), entitled

A bill to authorize parties litigant, when they call as witnesses in their behalf the opposite party, employe or agent of said party, to cross-examine such witnesses, and providing that they shall not be bound by their answers;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING.

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
February 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 4 (file No. 24), entitled

A bill to make judgments and decrees rendered in courts of record of this State a lien upon real estate and provide for discharging the same;
And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
February 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 63 (file No. 28), entitled

A bill to amend section 25 of chapter 33 of the Compiled Laws of 1897, entitled "Jurisdiction, powers and procedure of probate courts," being compiler's section 669 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
February 11, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 19 (file No. 13), entitled

A bill to amend section 152 of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes hereto-

fore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891, and all other acts and parts of acts in any wise contravening any of the provisions of this act," approved June 1, 1893, being compiler's section No. 3824 et seq. of the Compiled Laws of 1897, as said act was amended by Act No. 154 of the Public Acts of 1899, approved June 23, 1899, and as said act was further amended by Act No. 281 of the Public Acts of 1905, approved June 16, 1905;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Taxation.

The following message from the House was also received and read:

House of Representatives,
February 15, 1909.

To the President of the Senate:

Sir—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 46.

Whereas, Events of recent occurrence have given rise to criticism of the management and control of the State Prison at Jackson, and charges of criminality have been made against the warden of the said institution, which, if true, indicate that some changes should be made in the management of said prison whereby better government and a more rigid supervision may be had over said institution, therefore be it

Resolved by the Senate (the House of Representatives concurring), That a joint committee, consisting of the members of the Senate and House committees on State Prison at Jackson, be appointed by the permanent presiding officers of said bodies to fully, fairly, thoroughly and impartially investigate such charges, and determine in their own minds if such charges are true, and if there is just and sufficient cause for a change in the management of said prison; and be it further

Resolved, That in the exercise of the power conferred upon them the said committee, by subpoena issued over the signature of the chairman or acting chairman of the committee and served in the manner that a circuit court subpoena is served, may summon and compel the attendance of witnesses and the production of books, papers, documents and records necessary or convenient to be examined or used by them as witnesses and may do all things which may to them appear to be necessary or convenient to a full examination and investigation as directed herein; and be it further

Resolved, That the committee shall have power to employ stenographers, clerks and assistants and such other persons as they may deem necessary to a full and complete examination and investigation as herein directed; and be it further

Resolved, That the Attorney General be, and hereby is authorized and directed to co-operate with the said committee, and to render such assistance as may be desired and act as legal advisor to said committee in conducting the investigation herein directed; and be it further

Resolved, That the committee shall have power, by any member thereof, to administer to persons produced or appearing before them as witnesses all necessary oaths and also to punish for contempt as is provided by law; and be it further

Resolved, That any person appearing and testifying under oath before such committee, such evidence so given shall not be used as evidence in any criminal prosecution against him in any court except in a prosecution for perjury committed in giving such testimony; and be it further

Resolved, That such committee shall report to the Senate and House of Representatives, in full upon such matters with the evidence and their recommendations thereon on or before March 15, 1909;

Provided, That if a grand jury shall be called to investigate the existing conditions in said State Prison at Jackson within ten days from this date, the joint legislative investigating committee herein provided for, shall be relieved from further consideration of the matter;

In the adoption of which the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

INTRODUCTION OF BILLS.

Mr. Mapes introduced

Senate bill No. 101, entitled

A bill to amend section 53 of title 3 of Act No. 593 of the Local Acts of 1905, entitled "An act to revise the charter of the city of Grand Rapids including therein also as part of such charter the acts controlling the board of education and board of library commissioners," approved June 6, 1905, as amended.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Cities and Villages.

Mr. Anhut introduced

Senate bill No. 102, entitled

A bill to provide for the safety of railroad train employes.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Railroads.

Mr. Aitkin introduced

Senate bill No. 103, entitled

A bill making appropriations for the current expenses and for special purposes for the Michigan College of Mines at Houghton, for the fiscal

years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on College of Mines.

Mr. Taylor, for Mr. Tuttle, introduced

Senate bill No. 104, entitled

A bill to provide for the incorporation of cities.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Cities and Villages.

Mr. Taylor moved that 300 extra copies of the above entitled bill be printed for the use of the Committee.

The motion prevailed.

Mr. Scott introduced

Senate bill No. 105, entitled

A bill to amend Act No. 136 of the Session Laws of 1891, approved June 16, 1891, entitled "An act to provide for the incorporation of the high and subordinate courts of the Independent Order of Foresters for the State of Michigan," the same being sections 8058, 8059, 8060, 8061, 8062, 8063, 8064 and 8065 of the Compiled Laws of 1897, and to repeal all acts or parts of acts contravening the provisions of this act.

The bill was read a first and second time by its title and referred to the Committee on Insurance.

Mr. Kingman introduced

Senate bill No. 106, entitled

A bill to regulate the use of steam engines, steam wagons or other vehicles, which are in whole or in part operated by steam, on the public highways of this State, and to prohibit the blowing of steam whistles on the public highways of this State and to repeal section 5543 of the Compiled Laws of 1897 and all amendments thereto.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Roads and Bridges.

Mr. Kingman introduced

Senate bill No. 107, entitled

A bill to provide a lien on grain, seed and other products for threshing or hulling the same, and for the foreclosure of such liens.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. MacKay moved that the Senate take a recess until 2:45 o'clock p. m.

The motion prevailed, the time being 2:25 o'clock p. m.

AFTER RECESS.

2:45 o'clock p. m.

The Senate was called to order by the President pro tem.
A quorum of the Senate was present.

The Senate resumed the order of

INTRODUCTION OF BILLS.

Mr. Fowle introduced
Senate bill No. 108, entitled

A bill to amend section 45 of chapter 84 of the Revised Statutes of 1846, as amended, entitled "Of Divorce," being section 8657 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Fowle introduced
Senate bill No. 109, entitled

A bill concerning notaries public who are stockholders, directors, officers and employes of banks or other corporations.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

By unanimous consent the Senate returned to the order of

REPORTS OF STANDING COMMITTEES.

By the Committee on Education and Public Schools:
The Committee on Education and Public Schools reports
Senate bill No. 72.

A bill to amend section eight of Act one hundred forty-seven of the Public Acts of eighteen hundred ninety-one, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," and acts amendatory thereof, being section four thousand eight hundred fifteen of the Compiled Laws

of eighteen hundred ninety-seven as amended by section eight of act one hundred twenty-seven of the Public Acts of nineteen hundred seven;
With the recommendation that the bill pass.

G. G. Scott,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

Mr. MacKay arose to a question of personal privilege and stated that he was unavoidably absent from the session of the Senate, Thursday, February 11, on which date the Senate considered and passed

Senate bill No. 27 (file No. 24), entitled

A bill to provide for the registration of and to regulate the employment of legislative lobby counsel and agents; to provide for the filing of expense accounts of said counsel and agents; and to provide a penalty for violations of this act.

He further stated that he desired it recorded that had he been present he would have voted "No" on said bill.

Mr. Aitkin moved that the Senate adjourn.

The motion prevailed, the time being 3 o'clock p. m.

The President pro tem. declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

TWENTIETH DAY.

Lansing, Wednesday, February 17.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. Horace Cady Wilson, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Ward, Weter, Wetmore, White, Whitney—28.

The following Senators were absent with leave: Messrs. Tuttle, Watkins—2.

The following Senators were absent without leave: Messrs. Bolt, Kline—2.

Mr. Bradley moved that leave of absence be granted to the absentees from today's session.

The motion prevailed.

Mr. Bradley asked and obtained leave of absence for Mr. Kline from tomorrow's session.

Mr. White asked and obtained leave of absence for Mr. Bolt from the remaining sessions of this week.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
February 17, 1909.

To the President of the Senate:

Sir:—I hereby submit the following nominations for the consideration of the Senate:

Roger M. Andrews, of Menominee, Menominee county, as Commissioner of Mineral Statistics, for the term of two years, beginning April 1, 1909;

Charles J. Byrns, of Ishpeming, Marquette county, as member of the Board of Trustees of the Upper Peninsula Hospital for the Insane, for the term of six years from and after April 16, 1909;

Ira Carley, of Stephenson, Menominee county, as member of the Board of Control of the State House of Correction and Branch of the State Prison in the Upper Peninsula, for the term of six years, from and after February 15, 1909.

Very respectfully,
FRED M. WARNER,
Governor.

The message was referred to the Committee on Executive Business.

PRESENTATION OF PETITIONS.

No. 34. By Mr. Fox: Petition of J. D. Brooker and 45 other citizens of Tuscola county in favor of the passage of the Giles optometry bill.
The petition was referred to the Committee on Public Health.

No. 35. By Mr. Moriarty: Petition of A. J. Rundle and other citizens of Iron and Dickinson counties on the same subject.
The petition was referred to the Committee on Public Health.

No. 36. By Mr. Newton: Petition of Frank J. Ryan and other citizens of Washtenaw county on the same subject.
The petition was referred to the Committee on Public Health.

No. 37. By Mr. Shields: Petition of George H. Chapel and other citizens of Livingston county on the same subject.
The petition was referred to the Committee on Public Health.

No. 38. By Mr. Fairbanks: Petition of William Lloyd and other citizens of Manistee county on the same subject.
The petition was referred to the Committee on Public Health.

No. 39. By Mr. Bates: Petition of Marshall H. Mackey and other citizens of Van Buren county on the same subject.
The petition was referred to the Committee on Public Health.

No. 40. By Mr. Bolt: Petition of Albert Snowdin and other citizens of Muskegon county on the same subject.
The petition was referred to the Committee on Public Health.

No. 41. By Mr. Foster: Protest of Robert A. Richards and 38 other citizens of Iosco county against action to retard the development of the water power of the Au Sable river.

Mr. Foster moved that the protest be spread at length in the Journal.
The motion prevailed.

The protest is as follows:

We, the undersigned residents of Iosco county, believing that the development of the water power of the Au Sable river will be of inestimable benefit to this country, and also believing that the action of the board of supervisors of Iosco county in granting to the Eastern Michigan Power Company authority to build dams along the river was proper and voiced

the sentiment of the great majority of our citizens, ask that you take such action in the Legislature as will insure the completion of this project.

We firmly believe that such enterprises should be fostered and not hindered by the State.

The protest was referred to the Select Committee on Waterways Investigation.

No. 42. By Mr. Foster: Protest of L. G. MacKay and 20 other residents of East Tawas on the same subject.

The protest was referred to the Select Committee on Waterways Investigation.

No. 43. By Mr. Wetmore: Petition of T. H. Gillis and 68 other residents of Traverse City in favor of the passage of an act prohibiting the catching of bass in Lake Leelanau before June 15.

The petition was referred to the Committee on Fisheries.

No. 44. By Mr. Bates: Protest of Milo F. Gray of Moline against the passage of the carload rate bill.

The protest was referred to the Committee on Railroads.

No. 45. By Mr. Wetmore: Protest of Will McNitt, Jr., and 18 other members of Greenwood Camp No. 1005, M. W. of A., Boone, Michigan, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 46. By Mr. Bates: Protest of Chas. G. Fuller and other members of Arbutus Camp No. 940, M. W. of A., of Allegan, on the same subject.

The protest was referred to the Committee on Insurance.

No. 47. By Mr. Bradley: Protest of C. W. Vining and other citizens of Ionia and Montcalm counties against the passage of a bill prohibiting the killing of more than one deer.

The protest was referred to the Committee on Gaming Interests.

No. 48. By Mr. Smith: Petition of 9 rod and gun clubs of Houghton county relative to and favoring certain amendments to the game laws.

The petition was referred to the Committee on Gaming Interests.

No. 49. By Mr. Fairbanks: Resolutions of the Board of Supervisors of Mason county favoring the appointment, rather than election, of a county road commissioner.

The petition was referred to the Committee on Roads and Bridges.

MOTIONS AND RESOLUTIONS.

Mr. Fowle offered the following resolution:

Senate resolution No. 52.

Whereas, A treaty has been negotiated between the United States and Great Britain, dealing with boundary disputes between the United States and Canada, which treaty is before the United States Senate for ratification; and

Whereas, Said treaty in the division of water for water power purposes at Sault Ste. Marie ignores the boundary line fixed by the treaty of Ghent, and attempts to divide the water for power purposes equally between the two countries without reference to territorial boundaries; and

Whereas, According to data carefully prepared by the International Waterways Commission, 74.6 per cent of the water in the rapids at Sault Ste. Marie flows on the American side of the boundary line; and

Whereas, The State of Michigan, when it entered the Union, reserved riparian rights in all subaqueous lands; and

Whereas, Senator William Alden Smith and Senator Julius Caesar Burrows are strenuously and effectively opposing the ratification of the said treaty on the grounds that it is unjust and inequitable, depriving the State of a natural resource of great value, which was specifically reserved when the State entered the Union, and giving this large volume of water power to a foreign country; therefore be it

Resolved by the Senate (the House of Representatives concurring), That the State of Michigan objects to the terms of the said treaty in the division of water as herein set forth, and commends the position taken by Senator William Alden Smith and Senator Julius Caesar Burrows in their efforts to have said treaty so modified that the division of water for power purposes shall be upon the basis of established territorial boundary lines.

The question being on the adoption of the resolution,
The resolution was adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 82 (file No. 73), entitled

A bill to amend Act No. 32 of the Public Acts of 1905, entitled "An act to amend the title and section 1 of Act No. 91 of the Public Acts of 1903, entitled 'An act to authorize the several courts of the State having jurisdiction in criminal cases, to hold or place persons convicted of a crime or misdemeanor on probation under the care of probation officers provided in this act;'"

With the following amendments thereto:

1. By renumbering section 2 so that the same shall stand as section 1.
2. By inserting in line 22 of section 1 after the word "person" the word "was."

Recommend that the amendments be concurred in, and that when so amended the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 52 (file No. 48), entitled

A bill to amend section 7 of chapter 12 of the Revised Statutes of 1846 as amended, the same being Compiler's Section 77 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 63 (file No. 58), entitled

A bill to amend section 3 of chapter 109 of the Revised Statutes of the year 1846, entitled "Of the partition of lands owned by several persons," being section 11015 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 71 (file No. 63), entitled

A bill to amend section 15 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensations of circuit court stenographers in the State of Michigan," approved May 29, 1897, being section 377 of the Compiled Laws of 1897, as amended by Act No. 75 of the Public Acts of 1903;

With the following amendment thereto:

By striking out of line 1 of section 15 the word "court;"

Recommend that the amendment be concurred in, and that when so amended the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on State Library:

The Committee on State Library reports

Senate bill No. 56 (file No. 52), entitled

A bill to provide for the publication, distribution and preservation of the manual of the Michigan Constitutional Convention of 1907 and prescribing the duties of the State Librarian appertaining thereto;

With the recommendation that the bill pass.

JOHN N. ANHUT,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Supplies and Expenses:

The Committee on Supplies and Expenses reports the following accounts:

The Remington Typewriter Company.....	\$ 8 00
The Underwood Typewriter Company.....	16 00
Mrs. Etta Saunders	45 00
Drake Law Book Company.....	3 75
American Express Co.....	7 47
West Disinfecting Co.....	9 00
Chas. M. Norton.....	1 45
The West Publishing Co.....	7 50
The Panacea Spring Water Co.....	15 00
G. W. Kemper.....	8 75
The Lansing Laundry Co.....	8 50
E. V. Chilson, postage.....	9 00

With the recommendation that the accounts be allowed and orders drawn for the same.

HORACE T. BARNABY,

Chairman.

The report was accepted and adopted.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations, to which was referred the following resolution:

Senate resolution No. 47.

Resolved, That Maurice Fitzgerald be and hereby is appointed Assistant Document Room Keeper;

Reports the same back to the Senate with the accompanying substitute therefor:

Resolved, That the President of the Senate be and is hereby authorized to appoint an additional Assistant Document Room Keeper and two Assistant Janitors;

With the recommendation that the substitute be concurred in.

ERASTUS N. BATES,

Acting Chairman.

The report was accepted.

The question being on concurring in the recommendation of the committee and the adoption of the substitute,

The Senate concurred and the substitute was adopted.

The question then being on the adoption of the resolution,

The resolution was adopted.

By the Committee on Railroads:

The Committee on Railroads reports

Senate bill No. 91 (file No. 81), entitled

A bill to prescribe the liability of common carrier railroad companies and persons, copartnerships, firms, associations and corporations owning or operating railroads, not common carriers, to their employees;

With the recommendation that the bill pass.

ERASTUS N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Ming moved that the bill be referred to the Committee on Judiciary.

The motion prevailed.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
February 15, 1909.

To the President of the Senate:

Sir—I am instructed by the House to transmit the following bill:

House bill No. 48 (file No. 19), entitled

A bill to amend section 1 of Act No. 256 of the Public Acts of 1881, entitled "An act to provide for suits against foreign corporations in the courts of this State," the same being section 10442 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS.

Mr. Anhut introduced

Senate bill No. 110, entitled

A bill to prohibit the practice of palmistry, clairvoyancy, astrology or fortune telling by cards or other devices for money or gain, and to provide a penalty for violation of the provisions of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Bradley introduced
Senate bill No. 111, entitled

A bill to amend Act No. 152 of the Public Acts of 1901, entitled "An act to provide for the protection of fish in the lakes known as White Fish lake and Little White Fish lake in the township of Pierson, county of Montcalm, and State of Michigan," approved May 22, 1901, by adding thereto one new section to be known as section 3.

The bill was read a first and second time by its title and referred to the Committee on Fisheries.

Mr. Smith introduced
Senate bill No. 112, entitled

A bill to codify and amend laws relative to the geological survey of the State.

The bill was read a first and second time by its title and referred to the Committee on Geological Survey.

SPECIAL ORDER.

2:30 o'clock p. m.

The President announced that the hour had arrived for the special order and laid before the Senate

Senate bill No. 34 (file No. 31), entitled

A bill relative to the nomination of party candidates for public office and delegates to political conventions; to regulate primary elections and to prescribe penalties for violations of its provisions.

Mr. White moved that the consideration of the above entitled bill be postponed for one week and made a special order for Wednesday, February 24, 2:30 o'clock p. m.

Mr. Fox moved to amend the motion made by Mr. White by substituting Tuesday, February 23, for Wednesday, February 24.

The motion did not prevail.

The question then being on the motion made by Mr. White,

The motion prevailed and the bill was made a special order for Wednesday, February 24, at 2:30 o'clock p. m.

By unanimous consent the Senate returned to the order of

INTRODUCTION OF BILLS.

Mr. Shields introduced
Senate bill No. 113, entitled

A bill making appropriations for the State Sanatorium for current expenses and for building and special purposes for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Sanatorium.

Mr. Shields introduced

Senate bill No. 114, entitled

A bill making it unlawful for any common carrier, inn keeper or proprietor or lessee of any place of public amusement or entertainment, or any agent, servant or representative of any such common carrier, inn keeper, proprietor or lessee as aforesaid, to debar from the full and equal enjoyment of the accommodations, advantages, facilities or privileges of any public conveyance on land or water or any inn or place of public amusement or entertainment, any person in the military or naval service of the United States or of this State, and providing a remedy for such debarment.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Military Affairs.

Mr. Weter introduced

Senate bill No. 115, entitled

A bill to regulate the shooting of ducks, mud hens, and other water fowl upon Lake St. Clair and the bays and channels of the St. Clair Flats.

The bill was read a first and second time by its title and referred to the Committee on Gaming Interests.

Mr. Weter introduced

Senate bill No. 116, entitled

A bill to prohibit the catching of fish by means of seines in the waters of Lake St. Clair and the bays and channels of the St. Clair Flats.

The bill was read a first and second time by its title and referred to the Committee on Fisheries.

Mr. Scott introduced

Senate bill No. 117, entitled

A bill to regulate the boring of oil, gas and other wells, and to prevent the waste or unnecessary depletion or impairment of the State's resources therein, and provide a remedy therefor.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

Mr. Scott introduced

Senate bill No. 118, entitled

A bill reserving the rights of the State in coal, oil and gas.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

Mr. Fox introduced

Senate bill No. 119, entitled

A bill to amend section 1 of Act No. 262 of the Public Acts of 1897, entitled "An act to require township boards to make public annually an itemized statement of the condition of the finances of the township, in

relation to the receipts and disbursements made by the township board," said section being Compiler's Section 2350 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Counties and Townships.

Mr. Fox moved that 300 extra copies of the above entitled bill be printed for the use of the committee.

The motion prevailed.

Mr. Taylor introduced
Senate bill No. 120, entitled

A bill to provide for the incorporation of cities and for changing their boundaries.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Cities and Villages.

Mr. Taylor moved that 300 extra copies of the above entitled bill be printed for the use of the committee.

The motion prevailed.

Mr. Wetmore moved that the Senate take a recess until 3 o'clock p. m.
The motion prevailed, the time being 2:45 o'clock p. m.

AFTER RECESS.

3 o'clock p. m.

The Senate was called to order by the President.
A quorum of the Senate was present.

Pursuant to authority vested in him by Senate resolution No. 47, the President announced the appointment of Maurice Fitzgerald as Assistant Document Room Keeper, and John Campbell and John Kelsey, as Assistant Janitors.

Mr. Moriarty moved that the Senate resolve itself into

EXECUTIVE SESSION.

The motion prevailed, the time being 3:05 o'clock p. m.

The executive session closed, the time being 3:15 o'clock p. m.

The Secretary announced that the nominations to office from the Governor, read to the Senate today in open session, had been confirmed by the Senate in executive session.

Mr. Bates moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Collins to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 82 (file No. 73), entitled

A bill to amend Act No. 32 of the Public Acts of 1905, entitled "An act to amend the title and section 1, of Act No. 91 of the Public Acts of 1903, entitled 'An act to authorize the several courts of the State having jurisdiction in criminal cases, to hold or place persons convicted of a crime or misdemeanor on probation, under the care of probation officers provided in this act;'"

Also:

Senate bill No. 71 (file No. 63), entitled

A bill to amend section 15 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May 29, 1897, being section 377 of the Compiled Laws of 1897, as amended by Act No. 75 of the Public Acts of 1903;

Also:

Senate bill No. 63 (file No. 58), entitled

A bill to amend section 3 of chapter 109 of the Revised Statutes of the year 1846, entitled "Of the partition of lands owned by several persons," being section 11015 of the Compiled Laws of 1897;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

W. A. COLLINS,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the bills named in the report and the bills were placed on the order of third reading of bills.

THIRD READING OF BILLS.

Senate bill No. 63 (file No. 58), entitled

A bill to amend section 3 of chapter 109 of the Revised Statutes of the year 1846, entitled "Of the partition of lands owned by several persons," being section 11015 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Taylor	
Anhut	Foster	Ming	Ward	
Barnaby	Fowle	Moriarty	Weter	
Bates	Fox	Newton	Wetmore	
Bradley	Kingman	Shields	White	
Collins	Krueger	Snell	Whitney	
Dickinson	MacKay			26

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 71 (file No. 63), entitled

A bill to amend section 15 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May 29, 1897, being section 377 of the Compiled Laws of 1897, as amended by Act No. 75 of the Public Acts of 1903;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Taylor	
Anhut	Foster	Ming	Ward	
Barnaby	Fowle	Moriarty	Weter	
Bates	Fox	Newton	Wetmore	
Bradley	Kingman	Shields	White	
Collins	Krueger	Snell	Whitney	
Dickinson	MacKay			26

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 82 (file No. 73), entitled

A bill to amend Act No. 32 of the Public Acts of 1905, entitled "An act to amend the title and section 1, of Act No. 91 of the Public Acts of

1903, entitled 'An act to authorize the several courts of the State having jurisdiction in criminal cases, to hold or place persons convicted of a crime or misdemeanor on probation, under the care of probation officers provided in this act;'

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Taylor	
Anhut	Foster	Ming	Ward	
Barnaby	Fowle	Moriarty	Weter	
Bates	Fox	Newton	Wetmore	
Bradley	Kingman	Shields	White	
Collins	Krueger	Snell	Whitney	
Dickinson	MacKay			26

NAYS.

0

The title of the bill was agreed to.

Mr. Fox moved that the Senate adjourn.

The motion prevailed, the time being 3:45 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

TWENTY-FIRST DAY.

Lansing, Thursday, February 18.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President pro tem.

Religious exercises were conducted by Rev. Horace Cady Wilson, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bradley, Collins, Dickinson, Foster, Fowle, Fox, Kingman, Krueger, MacKay, Mapes, Moriarty, Scott, Shields, Smith, Snell, Taylor, Ward, Weter, Wetmore, White, Whitney, President pro tem.—25.

The following Senators were absent with leave: Messrs. Bolt, Kline, Tuttle, Watkins—4.

The following Senators were absent without leave: Messrs. Bates, Fairbanks, Newton—3.

Mr. Snell moved that leave of absence be granted to the absentees from today's session.

The motion prevailed.

Messrs. Anhut, Fowle, Krueger, MacKay, Smith, Snell, Ward, White and Whitney asked and obtained leaves of absence for themselves from tomorrow's session.

Messrs. Taylor and Wetmore asked and obtained leaves of absence for themselves after 3 o'clock today, from tomorrow's session and the session of next Tuesday.

Messrs. Kingman and Scott asked and obtained leaves of absence for themselves from tomorrow's session and the session of next Tuesday.

Mr. Collins asked and obtained leave of absence for Mr. Fairbanks from tomorrow's session.

Mr. Collins asked and obtained leave of absence for Mr. Ming from tomorrow's session.

Mr. Moriarty asked and obtained leave of absence for Mr. Newton from to morrow's session.

Mr. Shields asked and obtained leave of absence for the Committee on Normal School at Mt. Pleasant, consisting of Senators Shields, Dickinson and Fox, also Senator Bradley, member of the Committee on Finance and Appropriations, from tomorrow's session.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
February 18, 1909.

To the President of the Senate:

Sir:—I deem it proper to officially direct your attention to the fact that, after nearly two score years of most conscientious and valuable service, Dr. James Burrell Angell has tendered to the Regents of the University of Michigan his resignation as President of the great Institution of learning which has done so much to give Michigan a commanding position among the states of the Union.

Great as a scholar, a diplomat, an executive and an educator, no man of our day and generation has accomplished more for the cause of education throughout the world than Dr. Angell. He has rendered his State and Nation services of incalculable value and it is altogether fitting that the people of Michigan, through the Legislature, make formal expression of their appreciation of his work and their high regard for him as a Christian gentleman and a representative citizen of the State.

Yours very respectfully,

FRED M. WARNER,
Governor.

Mr. MacKay moved that the President pro tem. appoint a committee of three senators to draft suitable resolutions in accordance with the suggestion contained in the above message.

The motion prevailed.

The President appointed as such committee Senators MacKay, Smith and Wetmore.

PRESENTATION OF PETITIONS.

No. 50. By Mr. Dickinson: Petition of E. M. Snyder and 40 other citizens of Eaton county in favor of the passage of the Giles optometry bill.

The petition was referred to the Committee on Public Health.

No. 51. By Mr. Wetmore: Petition of A. S. Lobb and 33 other citizens of Frankfort, Benzie county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 52. By Mr. Kingman: Petition of George D. Miller and 36 other citizens of Coldwater, Branch county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 53. By Mr. Foster: Petition of Charles Curry and 11 other citizens of Iosco county asking for certain amendments to the charters of the cities of Au Sable, East Tawas, Tawas City and Whittemore.

Mr. Foster moved that the petition be spread at length in the Journal. The motion prevailed.

The petition is as follows:

Whereas, The county of Iosco is composed of eleven townships whose assessed valuation of real estate in 1906 was \$1,084,771.00, having eleven representatives on the board of supervisors, and the assessed valuation of real estate in the cities of Au Sable, East Tawas, Tawas City and Whittemore for that year was only \$320,430.00; and

Whereas, The total number of votes cast in the city of Au Sable for mayor in 1906 was 39 and said city has five representatives on said board, and the mayor and city attorneys of Au Sable and East Tawas are members of said board, making a total of fourteen supervisors from said four cities; and this unequal representation, both in population and in property valuation is unfair, unjust and not democratic; therefore

We, the undersigned citizens of Iosco county, respectfully ask each of you to use all honorable means to have the charter of the said cities so amended that the townships in said county may have a fair and just representation on the board of supervisors, and we will ever pray, etc.

The petition was referred to the Committee on Cities and Villages.

No. 54. By Mr. Foster: Petition of H. E. Nunn and 99 other citizens of Iosco county on the same subject.

The petition was referred to the Committee on Cities and Villages.

No. 55. By Mr. Foster: Petition of William H. Bamberger and 62 other citizens of Iosco county on the same subject.

The petition was referred to the Committee on Cities and Villages.

No. 56. By Mr. Smith: Petition of J. E. Scallon, M. D., and 80 other citizens of Houghton county in favor of the passage of a law similar to the New York tuberculosis law.

The petition was referred to the Committee on Public Health.

No. 57. By Mr. Smith: Petition and resolutions of the Houghton county branch of the Upper Peninsula Association for the Prevention and Cure of Contagious and Infectious Diseases asking for the establishment of a tuberculosis sanatorium in the Upper Peninsula.

The petition was referred to the Committee on Public Health.

No. 58. By Mr. Smith: Resolutions of the Board of Supervisors of Ontonagon county on the same subject.

The resolutions were referred to the Committee on Public Health.

No. 59. By Mr. Aitkin: Protest of Grove Whaling and 69 other citizens of Deckerville against the passage of any law placing a special tax on a hunter's gun.

The protest was referred to the Committee on Gaming Interests.

No. 60. By Mr. Ward: Protest of Arthur Royce and 32 other members of Altona Camp No. 10116, M. W. of A., against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 61. By Mr. Ward: Protest of E. Streeter and 46 other citizens of the twenty-fifth senatorial district, on the same subject.

The protest was referred to the Committee on Insurance.

No. 62. By Mr. Ward: Protest of Charles Martin and 92 other citizens of the twenty-fifth senatorial district on the same subject.

The protest was referred to the Committee on Insurance.

MOTIONS AND RESOLUTIONS.

Mr. Shields offered the following resolution:

Senate resolution No. 53.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns tomorrow it stand adjourned until Tuesday, February 23, at 9 o'clock p. m.

The resolution was adopted.

Mr. Bradley offered the following resolution:

Senate resolution No. 54.

Resolved, That the use of the Senate chamber be granted to the Senate Committee on Labor Interests for Wednesday morning, February 24, at 10 o'clock for a public hearing on Senate bill No. 64 (file No. 59).

The resolution was adopted.

Mr. Taylor offered the following resolution:

Senate resolution No. 55.

Resolved, That the use of the Senate chamber be granted to the Senate Committee on Liquor Traffic and the Senate and House Committees on Judiciary, Wednesday evening, February 24, at 7:30 o'clock, for a joint hearing on the search and seizure clauses of the bills before such committees.

The resolution was adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 76, entitled

A bill to provide for the redemption and payment of outstanding bond number six hundred thirty-one for three thousand dollars of the five million dollar loan of 1837, and to make appropriation therefor;

With the recommendation that the bill be printed and referred to the Committee on Finance and Appropriations.

J. D. M. MacKay,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. MacKay moved that the Senate concur in the recommendation of the committee that the bill be printed and referred to the Committee on Finance and Appropriations.

The motion prevailed and the bill was so referred.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 69, entitled

A bill to place Wawatam Park under the care and management of the Mackinac Island State Park Board;

With the recommendation that the bill pass.

J. D. M. MacKay,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 48 (file No. 19), entitled

A bill to amend section 1 of Act No. 256 of the Public Acts of 1881, entitled "An act to provide for suits against foreign corporations in the courts of this State," the same being section 10442 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
February 18, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 24 (file No. 23), entitled

A bill to amend sections 10, 11 and 12 of Chapter 171 of the Revised Statutes of 1846, entitled "Of county jails and the regulation thereof," such sections being sections Nos. 2659, 2660 and 2661 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
February 18, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 32 (file No. 18), entitled

A bill to amend section 1 of Act No. 176 of the Public Acts of 1893, entitled "An act to provide for the placing of juries, while engaged in the trial of cases of murder, under the charge of a competent officer duly sworn as prescribed in this act, and to define the duties of certain officers in relation thereto, and to provide a penalty for any wilful violation thereof," being section 11960 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
February 18, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 3 (file No. 5), entitled

A bill to amend section 1 of Act No. 111 of the Public Acts of 1889, entitled "An act to protect fish and to regulate fishing in the waters of this State by providing close seasons for certain kinds of fish, by prohibiting the catching of fish in certain specified ways, by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes, by prohibiting the catching and killing in the lakes, rivers and streams of this State of more than a certain number of certain specified kinds of fish in any one day, by prohibiting the taking away and having possession of more than a certain number of such fish at any point away therefrom, by prohibiting the obstruction of the free passage of fish and by prohibiting the sale of certain kinds of fish, to protect persons engaged in fish culture and to repeal inconsistent acts," as amended, being section No. 5861 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Fisheries.

The following message from the House was also received and read:

House of Representatives,
February 18, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 52.

Whereas, A treaty has been negotiated between the United States and Great Britain, dealing with boundary disputes between the United States and Canada, which treaty is before the United States Senate for ratification; and

Whereas, Said treaty, in the division of water for water power purposes at Sault Ste. Marie, ignores the boundary line fixed by the treaty of Ghent and attempts to divide the water for power purposes equally between the two countries without reference to territorial boundaries; and

Whereas, According to data carefully prepared by the International Waterways Commission, 74.6 per cent of the water in the rapids at Sault Ste. Marie flows on the American side of the boundary line; and

Whereas, The State of Michigan, when it entered the Union, reserved its riparian rights in all subaqueous lands; and

Whereas, Senator William Alden Smith and Senator Julius Caesar Burrows are strenuously and effectively opposing the ratification of the said treaty on the grounds that it is unjust and inequitable, depriving the State of a natural resource of great value, which was specifically reserved when the State entered the Union, and giving this large volume of water power to a foreign country; therefore be it

Resolved by the Senate (the House of Representatives concurring), That the State of Michigan objects to the terms of the said treaty in the division of water as herein set forth, and commends the position taken by Senator William Alden Smith and Senator Julius Caesar Burrows in their efforts to have said treaty so modified that the division of water for power purposes shall be upon the basis of established territorial boundary lines;

In the adoption of which the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The following message from the House was also received and read:

House of Representatives,
February 18, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 53.

Resolved by the Senate (the House of Representatives concurring),

That when the Legislature adjourns tomorrow it stand adjourned until Tuesday, February 23, at 9 o'clock p. m.

In the adoption of which the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

INTRODUCTION OF BILLS.

Mr. Moriarty introduced

Senate bill No. 121, entitled

A bill to provide for the disposition of convicts released from confinement in any State prison or reformatory.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Mapes introduced

Senate bill No. 122, entitled

A bill to establish the State civil service commission; to regulate the civil service of the State of Michigan; and making an appropriation therefor.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Mapes introduced

Senate bill No. 123, entitled

A bill relative to the issuance of stocks, bonds, notes and other evidences of indebtedness by general railroad, interurban railroad and other common carrier corporations and to provide penalties for violations of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Railroads.

Mr. Collins introduced

Senate bill No. 124, entitled

A bill to amend section 6 of Act No. 80 of the Session Laws of 1855, entitled "An act to authorize the formation of county and town agricultural societies," the same being section 5958 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Agricultural Interests.

Mr. Anhut introduced

Senate bill No. 125, entitled

A bill to amend sections 8, 9 and 19 of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or pur-

chased, and to repeal Act No. 200 of the Public Acts of 1891 and all other acts and parts of acts in anywise contravening any of the provisions of this act," approved June 1, 1893, section 9 of which was amended by Act No. 25 of the Public Acts of 1895, approved March 20, 1895, the same being Compiler's Sections 3831, 3832 and 3842 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. Wetmore moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President pro tem. called Mr. Fowle to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 56 (file No. 52), entitled

A bill to provide for the publication, distribution and preservation of the manual of the Michigan Constitutional Convention of 1907; and prescribing the duties of the State Librarian appertaining thereto;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

Also:

House bill No. 48 (file No. 19), entitled

A bill to amend section 1 of Act No. 256 of the Public Acts of 1881, entitled "An act to provide for suits against foreign corporations in the courts of this state," the same being section 10442 of the Compiled Laws of 1897;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

OTTO FOWLE,

Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the bills named in the report and the bills were placed on the order of third reading of bills.

THIRD READING OF BILLS.

Senate bill No. 56 (file No. 52), entitled

A bill to provide for the publication, distribution and preservation of the manual of the Michigan Constitutional Convention of 1907; and prescribing the duties of the State Librarian appertaining thereto;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Barnaby
Collins
Foster
Fowle

Mr. Fox
Krueger
MacKay
Mapes
Moriarty

Mr. Scott
Smith
Snell
Taylor
Ward

Mr. Wetmore
White
Whitney
President pro tem
19

NAYS.

Mr. Anhut

Mr. Kingman

Mr. Shields

Mr. Weter

4

The title of the bill was agreed to.

Mr. Snell moved that the Senate take a recess until 3 o'clock p. m.
The motion prevailed, the time being 2:30 o'clock p. m.

AFTER RECESS.

3 o'clock p. m.

The Senate was called to order by the President pro tem.
A quorum of the Senate was present.

SPECIAL ORDER.

3 o'clock p. m.

The President announced that the hour had arrived for the special order and laid before the Senate

Senate bill No. 8 (file No. 8), entitled

A bill to provide for the regulation of the sale by dealers and the keeping on hand by consumers, of gasoline, benzine or naphtha.

Also:

Senate bill No. 9 (file No. 9), entitled

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils and to repeal Act No. 127, Laws of 1879, as amended by Act No. 49 of the Laws of 1881, Act No. 20 of the Laws of 1883, Act No. 71 of the Laws of 1891, and Act No. 94 of the Laws of 1893.

Also:

Senate bill No. 10 (file No. 10), entitled

A bill to prohibit the use of petroleum, coal or kerosene oil for illuminating or heating purposes which have been adulterated or which will emit a combustible vapor at a temperature of one hundred twenty or less degrees Fahrenheit's thermometer, and to repeal Act No. 241 of the Public Acts of 1899, entitled "An act to prohibit the use of the pro-

ducts of petroleum for illuminating purposes, which have been adulterated, or which will emit a combustible vapor at a temperature less than one hundred twenty-one degrees Fahrenheit thermometer."

Mr. Snell moved that the above entitled bills be laid on the table.
The motion prevailed.

Mr. Mapes moved that Hon. Andrew Fyfe, of Grand Rapids, a member of the Senate of 1905 and 1907, be invited to address the Senate, and that a special committee be appointed to escort Mr. Fyfe to the chair.

The motion prevailed.

The President pro tem. appointed as such committee, Senators Mapes, MacKay and Moriarty.

Mr. Fyfe then addressed the Senate.

The President pro tem. announced that he would be unable to be present at the session of the Senate tomorrow and designated Senator Aitkin as Acting President for tomorrow's session.

Mr. Mapes moved that when the Senate adjourns today, it stand adjourned until tomorrow at 9 o'clock a. m.

The motion prevailed.

Mr. Fox moved that the Senate adjourn.

The motion prevailed, the time being 3:15 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 9 o'clock a. m.

ELBERT V. CHILSON,
Secretary of the Senate.

TWENTY-SECOND DAY.

Lansing, Friday, February 19.

9 o'clock a. m.

The Senate met pursuant to adjournment and was called to order by the Acting President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Barnaby, Foster, Moriarty, Acting President—4.

The following Senators were absent with leave: Messrs. Anhut, Bolt, Bradley, Dickinson, Fairbanks, Fowle, Fox, Kingman, Krueger, MacKay, Ming, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Wetmore, White, Whitney—23.

The following Senators were absent without leave: Messrs. Bates, Collins, Kline, Mapes, Weter—5.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the Acting President declared the Senate adjourned until Tuesday, February 23, at 9 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

TWENTY-THIRD DAY.

Lansing, Tuesday, February 23.

9 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Bates, Bolt, Bradley, Collins, Dickinson, Foster, Fox, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Shields, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—25.

The following Senators were absent with leave: Messrs. Kingman, Scott—2.

The following Senators were absent without leave: Messrs. Barnaby, Fairbanks, Fowle, Smith, Snell—5.

Mr. Moriarty asked and obtained leave of absence for Mr. Fowle from tonight's session and from the remaining sessions of this week.

Mr. Moriarty asked and obtained leave of absence for Messrs. Smith and Fairbanks from tonight's session.

Mr. Mapes asked and obtained leave of absence for Mr. Barnaby from tonight's session.

Mr. MacKay asked and obtained leave of absence for Mr. Snell from tonight's session.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that

Senate bill No. 72 (file No. 91);
Senate bill No. 101 (file No. 92);
Senate bill No. 102 (file No. 93);
Senate bill No. 103 (file No. 94);
Senate bill No. 104 (file No. 95);
Senate bill No. 106 (file No. 96);
Senate bill No. 107 (file No. 97);

Senate bill No. 108 (file No. 98);
Senate bill No. 109 (file No. 99);
Senate bill No. 120 (file No. 100);
Senate bill No. 110 (file No. 101);
Senate bill No. 113 (file No. 102);
Senate bill No. 114 (file No. 103);
Senate bill No. 119 (file No. 104);
Senate bill No. 122 (file No. 105);
Senate bill No. 69 (file No. 106);
Senate bill No. 76 (file No. 107);
Senate bill No. 121 (file No. 108);
Senate bill No. 123 (file No. 109);
Senate bill No. 124 (file No. 110);
Senate bill No. 125 (file No. 111);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

PRESENTATION OF PETITIONS.

No. 63. By Mr. Shields: Petition of H. E. Fellows and 21 other citizens of Flint in favor of the passage of the Giles Optometry bill.
The petition was referred to the Committee on Public Health.

No. 64. By Mr. Wetmore: Petition of S. C. Moore and 26 other citizens of Cadillac on the same subject.
The petition was referred to the Committee on Public Health.

No. 65. By Mr. Collins: Petition of H. M. Gale and 20 other citizens of Bay City on the same subject.
The petition was referred to the Committee on Public Health.

No. 66. By Mr. Kline: Petition of Charles E. Kirby and 19 other citizens of Monroe on the same subject.
The petition was referred to the Committee on Public Health.

No. 67. By Mr. Bradley: Petition of Will C. Stone and 55 other citizens of Portland on the same subject.
The petition was referred to the Committee on Public Health.

No. 68. By Mr. Kline: Petition of Fred Wagner and 26 other citizens of Monroe on the same subject.
The petition was referred to the Committee on Public Health.

No. 69. By Mr. Tuttle: Petition of J. S. Bennett and 18 other citizens of Lansing on the same subject.
The petition was referred to the Committee on Public Health.

No. 70. By Mr. Ming: Petition of James Buckley and 9 other citizens of Petoskey on the same subject.

The petition was referred to the Committee on Public Health.

No. 71. By Mr. Weter: Petition of Martin Crocker and 25 other citizens of Mt. Clemens on the same subject.

The petition was referred to the Committee on Public Health.

No. 72. By Mr. Weter: Petition of Max Jennings and 52 other citizens of St. Clair on the same subject.

The petition was referred to the Committee on Public Health.

No. 73. By Mr. Moriarty: Petition of H. Aldred and 101 other citizens of Grand Marais on the same subject.

The petition was referred to the Committee on Public Health.

No. 74. By Mr. Bradley: Protest of Cora Blake and 44 other citizens of Montcalm and Ionia counties against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 75. By Mr. Bradley: Protest of Frank E. Lane and 46 other citizens of Montcalm and Ionia counties on the same subject.

The protest was referred to the Committee on Insurance.

No. 76. By Mr. Aitkin: Protest of W. E. Smith and 32 other citizens of Crosswell on the same subject.

The protest was referred to the Committee on Insurance.

No. 77. By Mr. Ward: Protest of J. D. McManns and 36 other members of Camp No. 1012, M. W. of A., Morley, on the same subject.

The protest was referred to the Committee on Insurance.

No. 78. By Mr. Bates: Protest of B. J. Smith and 61 other members of Progress Camp No. 2973, M. W. of A., Hartford, on the same subject.

The protest was referred to the Committee on Insurance.

No. 79. By Mr. Bates: Protest of A. S. Merrifield and other citizens of Bloomingdale on the same subject.

The protest was referred to the Committee on Insurance.

No. 80. By Mr. Tuttle: Protest of Harper L. Thomas and 20 other members of the Modern Woodmen of America of Dansville on the same subject.

The protest was referred to the Committee on Insurance.

No. 81. By Mr. Weter: Petition of W. J. Cain and 35 other citizens of Port Huron in favor of the passage of Senate bill No. 37, being the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 82. By Mr. Watkins: Petition of S. B. Harvey and 45 students of Hillsdale College on the same subject.

The petition was referred to the Committee on Public Health.

No. 83. By Mr. Tuttle: Protest of the Lansing Wheelbarrow Company against the passage of a bill repealing the carload rate law.

The protest was referred to the Committee on Railroads.

No. 84. By Mr. Tuttle: Petition of Chris Clinton and other taxpayers of Stockbridge endorsing the Tuttle amendments to the anti-lobby bill.

The petition was referred to the Committee on Judiciary.

No. 85. By Mr. Watkins: Petition of Fred Maurer and 102 other citizens of Jackson county asking for the repeal of the county road law.

The petition was referred to the Committee on Roads and Bridges.

No. 86. By Mr. Fox: Petition of A. J. Crow and 95 other citizens of Caro urging the abolishment of the office of State Highway Commissioner and the repeal of the present county road law.

The petition was referred to the Committee on Roads and Bridges.

No. 87. By Mr. Fox: Petition of Lyman Hill and 80 other citizens of Kingston, Tuscola county, on the same subject.

The petition was referred to the Committee on Roads and Bridges.

No. 88. By Mr. Moriarty: Resolutions of Marquette Tent No. 63, K. O. T. M., in favor of the establishment and maintenance of a tuberculosis sanatorium in the Upper Peninsula.

Mr. Moriarty moved that the resolutions be spread at length in the Journal.

The motion prevailed.

The following are the resolutions:

Marquette, Michigan, January 21, 1909.

Whereas, At a meeting of the Upper Peninsula Association for the prevention and cure of infectious and contagious diseases, held at the court house in the county of Marquette, January 12, 1909, resolutions were adopted setting forth favorable arguments for the enactment of a law by the Legislature at its present session, providing for the establishment and maintenance in the Upper Peninsula (at such place as it may designate), of a sanatorium for the treatment of persons suffering from tuberculosis, such institution to be maintained by and under the control of the State, and

Whereas, Such resolutions have been forwarded to the State Legislature, together with a draft of a proposed law, it is the sense of Marquette Tent No. 63, Knights of the Maccabees of the World, that it be,

Resolved, In this, our regular review, January 21, 1909, that we, as a lodge, believing it a matter of moment to all fraternal orders within the possible jurisdiction of the proposed law, do hereby endorse the

resolutions and the draft of the proposed law mentioned, and do respectfully urge the favorable action of the State Legislature in the matter; and be it further

Resolved, That as a part of the community to which the said law would be beneficial, we, as a lodge, express our appreciation of the efforts of Dr. F. McD. Harkin of the city of Marquette and the several boards of supervisors of the Upper Peninsula counties, and others instrumental in placing such petition before the State Legislature, and that duplicate copies of these resolutions be forwarded to Dr. F. McD. Harkin, the several boards of supervisors mentioned, and the State Legislature.

W. H. MORSE,
Commander.

J. E. TOBIN, JR.,
Record Keeper.

The resolutions were referred to the Committee on Public Health.

No. 89. By Mr. Bradley: Protest of A. C. Kidder and 75 other members of Camp No. 7312, M. W. of A., Sheridan, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 90. By Mr. Watkins: Resolutions adopted by the Michigan State Association of Farmers' Clubs, advocating the enactment of several bills.

Mr. Watkins moved that the resolutions be spread at length in the Journal.

The motion prevailed.

The following are the resolutions:

The Committee on State Affairs of the State Association of Farmers' Clubs view with pleasure the incorporation into laws of several of the principles heretofore advocated by us, and we hereby offer and recommend the following resolutions:

1. Resolved, That we reaffirm our position on the county salaries bill.
2. Resolved, That we are in favor of a law prohibiting the manufacture and sale of cigarettes.

3. Resolved, That we reaffirm our allegiance to the cause of equal suffrage; that we recognize the advance made during the past year by the incorporation in the State constitution of a clause conferring a limited form of suffrage upon women taxpayers, and that we favor granting full suffrage to women.

4. Whereas, We believe the late deposed State Treasurer unlawfully placed State funds in private banks or mingled the same with private business to the extent that thousands of dollars of public money has at least been tied up and rendered unavailable for present needs and placed the State in an uncomfortable predicament, therefore,

Resolved, That we demand of the State a full and fair trial of the said ex-State Treasurer, and if found guilty, that he be punished to the full extent of the law.

5. Resolved, That we demand a more perfect and complete direct system of nominating officers, and recommend that it be made State wide and compulsory and equal for all parties.

The resolutions were referred to the Committee on State Affairs.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
February 18, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 8 (file No. 14), entitled

A bill to amend sections 1, 3 and 5 of Act No. 26, Public Acts of 1899, as amended by Act No. 197, Public Acts of 1903, being an act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils and to repeal Act No. 127 of the Laws of 1879, as amended by Act No. 49 of the Laws of 1881, Act No. 20 of the Laws of 1883, Act No. 71 of the Laws of 1891, and Act No. 94 of the Laws of 1893;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

The following message from the House was also received and read:

House of Representatives,
February 18, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 9 (file No. 15), entitled

A bill to provide for the regulation of the sale by dealers and the keeping on hand by consumers, of gasoline, benzine or naphtha, and to repeal Act 181 of the Public Acts of 1899, and Act 178 of the Public Acts of 1907;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

The following message from the House was also received and read:

House of Representatives,
February 23, 1909.

To the President of the Senate:

Sir:—I am instructed by the House, respectfully to request the return to the House of the following bill:

House bill No. 8 (file No. 14), entitled

A bill to amend sections 1, 3 and 5 of Act No. 26, Public Acts of 1899, as amended by Act No. 197, Public Acts of 1903, being an act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils and to repeal Act No. 127 of the Laws of 1879, as amended by Act No. 49 of the Laws of 1881, Act No. 20 of the Laws of 1883, Act No. 71 of the Laws of 1891, and Act No. 94 of the Laws of 1893.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

Mr. MacKay moved that the Committee on State Affairs be discharged from the further consideration of the above entitled bill.

The motion prevailed.

Mr. MacKay moved that the request of the House for the return of the above entitled bill be granted.

The motion prevailed.

The following message from the House was also received and read:

House of Representatives,
February 23, 1909.

To the President of the Senate:

Sir:—I am instructed by the House, respectfully to request the return to the House of the following bill:

House bill No. 4 (file No. 24), entitled

A bill to make judgments and decrees rendered in courts of record of this State a lien upon real estate and provide for discharging the same.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

Mr. Tuttle moved that the Committee on Judiciary be discharged from the further consideration of the above entitled bill.

The motion prevailed.

Mr. Tuttle moved that the request of the House for the return of the above entitled bill be granted.

The motion prevailed.

INTRODUCTION OF BILLS.

Mr. Ming introduced

Senate bill No. 126, entitled

A bill to provide for grading certain clerical positions in the several departments of the State government; to regulate the compensation of department clerks and to repeal all acts or parts of acts contravening the provisions of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

By unanimous consent the Senate returned to the order of

MOTIONS AND RESOLUTIONS.

Mr. Taylor offered the following resolution:

Senate resolution No. 56.

Resolved, That Senator Bradley be and he is hereby authorized, as a member of the Committee on Finance and Appropriations, to accompany the Committee on University when it shall visit the State University.

Mr. Taylor moved that the rules be suspended and that the resolution be placed upon its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Tuttle moved that the Senate adjourn.

The motion prevailed, the time being 9:20 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

TWENTY-FOURTH DAY.

Lansing, Wednesday, February 24.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President pro tem.

Religious exercises were conducted by Rev. W. P. French, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney, President pro tem.—31.

The following Senator was absent with leave: Mr. Fowle—1.

Mr. Anhut asked and obtained leave of absence for the Select Committee on the Investigation of the Waterways of the State, consisting of Senators Ward, Weter and Anhut, from the sessions of Thursday and Friday.

COMMUNICATIONS FROM STATE OFFICERS.

The following communication from the Secretary of State was received and read:

Department of State, Lansing,
February 18, 1909.

Hon. E. V. Chilson, Secretary of the Senate, Capitol:

Dear Sir:—In compliance with the request of Hon. Samuel C. Polley, Secretary of State of the State of South Dakota, I transmit herewith a certified copy of House Joint Resolution No. 7, adopted by the Eleventh Legislative Assembly of South Dakota.

Very respectfully,

FREDERICK C. MARTINDALE,

Secretary of State.

The following is the joint resolution:

STATE OF SOUTH DAKOTA.

Eleventh Legislative Assembly.

HOUSE OF REPRESENTATIVES.

House Joint Resolution No. 7.

A joint resolution and memorial requesting Congress under the provision of Article V of the Constitution of the United States, to call a convention to propose an amendment to the Constitution of the United States whereby polygamous cohabitation shall be prohibited and Congress given power to enforce such prohibition by appropriate legislation. *Be it resolved by the House of Representatives and Senate concurring:*

Whereas, It appears from investigation recently made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States notwithstanding prohibitory statutes enacted by the several States thereof; and

Whereas, The practice of polygamy is generally condemned by the people of the United States, and there is a demand for the more effectual prohibition thereof, by placing the subject under Federal jurisdiction and control, at the same time reserving to each State the right to make and enforce its own laws relating to marriage and divorce; now therefore be it

Resolved, That application be and hereby is made to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention to propose an amendment to the Constitution of the United States, whereby polygamy and polygamous cohabitation shall be prohibited, and Congress shall be given power to enforce such prohibition by appropriate legislation.

Resolved, That the Legislatures of all other States of the United States now in session, or when next convened, be and they are hereby respectfully requested to join in this application by the adoption of this or any equivalent resolution.

Resolved further, That the secretary of state be and hereby is directed to transmit copies of this application to the Senate and House of Representatives of the United States and to the several members of said bodies representing this State therein; also to transmit copies hereof to the Legislatures of all other States of the United States.

STATE OF SOUTH DAKOTA.

Department of State.

United States of America, }
State of South Dakota. } Secretary's Office.

I, Samuel C. Polley, Secretary of State of South Dakota, and keeper of the Great Seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of House Joint Resolution No. 7 as passed by the Legislature of 1909, together with the endorsements

thereon and of the whole thereof, and has been compared with the original now on file in this office.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of South Dakota, done at the City of Pierre this 6th day of February, 1909.

SAMUEL C. POLLEY,
Secretary of State.

The communication and resolution were referred to the Committee on State Affairs.

PRESENTATION OF PETITIONS.

No. 91. By Mr. Dickinson: Petition of H. N. Estes and 51 other citizens of St. Johns in favor of the passage of the Giles optometry bill.

The petition was referred to the Committee on Public Health.

No. 92. By Mr. Fowle: Petition of R. M. Morris and 9 other citizens of Sault Ste. Marie on the same subject.

The petition was referred to the Committee on Public Health.

No. 93. By Mr. Scott: Petition of James F. Riopelle and 18 other citizens of River Rouge on the same subject.

The petition was referred to the Committee on Public Health.

No. 94. By Mr. Newton: Petition of Fred Kautlehner and 18 other citizens of Washtenaw county on the same subject.

The petition was referred to the Committee on Public Health.

No. 95. By Mr. Kingman: Petition of William S. Potter and 44 other citizens of Battle Creek on the same subject.

The petition was referred to the Committee on Public Health.

No. 96. By Mr. Fairbanks: Protest of F. H. Stone and 274 other citizens of Manistee against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 97. By Mr. Fairbanks: Protest of Cyrus J. Mann and 14 other members of Pinora Camp No. 5815, M. W. of A., of Pinora, on the same subject.

The protest was referred to the Committee on Insurance.

No. 98. By Mr. Fairbanks: Protest of M. P. Howk and 25 other members of Baldwin Camp No. 8833, M. W. of A., of Baldwin, on the same subject.

The protest was referred to the Committee on Insurance.

No. 99. By Mr. Fairbanks: Protest of E. L. Brooks and 45 other members of Fremont Camp No. 1352, M. W. of A., of Fremont, on the same subject.

The protest was referred to the Committee on Insurance.

No. 100. By Mr. Scott: Protest of Albert Hener and 81 other members of Hickory Camp No. 9162, of River Rouge, on the same subject. The protest was referred to the Committee on Insurance.

No. 101. By Mr. Dickinson: Protest of Harry B. Everest and 22 other members of Camp No. 7692, M. W. of A., of Woodbury, on the same subject.

The protest was referred to the Committee on Insurance.

No. 102. By Mr. Whitney: Protest of John Welzein and 31 other members of the M. W. of A., of Saginaw, on the same subject.

The protest was referred to the Committee on Insurance.

No. 103. By Mr. White: Protest of Harold Myers and 27 other members of Hinchman Camp No. 6273, M. W. of A., of Hinchman, on the same subject.

The protest was referred to the Committee on Insurance.

No. 104. By Mr. Newton: Petition of W. W. Hooker and 35 other citizens of Lyon township, Oakland county, in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 105. By Mr. Snell: Petition of H. E. Girling, Jr., and other physicians and business men of Detroit in favor of the passage of a bill for the examination, licensing and registration of nurses in this State.

The petition was referred to the Committee on Public Health.

No. 106. By Mr. Taylor: Petition of Levi L. Barbour and 340 other citizens of Detroit in favor of certain amendments to the present law governing the employment of children in this State.

The petition was referred to the Committee on Labor Interests.

No. 107. By Mr. Whitney: Resolutions of the Saginaw Board of Trade in favor of the passage of House bill No. 13, known as the Hoeft bill.

Mr. Whitney moved that the resolutions be spread at length in the Journal.

The motion prevailed.

The following are the resolutions:

Saginaw, Michigan, February 9, 1909.

Believing that the application and enforcement of maximum rates, as provided in paragraph 7 of Compiler's Section 6234 of the Compiled Laws of 1897, would result in a disturbing and complete readjustment of the present system of freight rates between points in the State of Michigan, and believing further that this would be of great disadvantage and annoyance to shippers and receivers of freight; therefore be it

Resolved, That the Saginaw Board of Trade favors the repeal of said paragraph and the amending of section 9 of Act No. 198 of the Laws

of 1873, in accordance with House bill No. 13, introduced by Mr. Hoeft, January 13, 1909. And that we further favor the early consideration and passage of said amendment as outlined in said House bill No. 13; and be it further

Resolved, That copies of this resolution be forwarded to the Saginaw county representatives in the Senate and House at Lansing.

The resolutions were referred to the Committee on Railroads.

MOTIONS AND RESOLUTIONS.

Mr. Taylor offered the following resolution:

Senate resolution No. 57.

Resolved, That Senator Fairbanks be and he is hereby authorized to take the place of Senator Fowle on the University Committee on the occasion of the visit of that committee to the State University.

Mr. Taylor moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 122 (file No. 105), entitled

A bill to establish the State civil service commission; to regulate the civil service of the State of Michigan; and making an appropriation therefor;

Without recommendation.

J. D. M. MacKay,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Newton moved that the bill be re-referred to the Committee on State Affairs,

Pending which

Mr. Mapes moved that the bill be made a special order for tomorrow at 2:30 o'clock p. m., on which motion he demanded the yeas and nays.

The motion made by Mr. Mapes then prevailed, a majority of the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut
Bates
Bolt
Collins
Dickinson

Mr. Fox
Kingman
MacKay
Mapes
Scott

Mr. Shields
Smith
Snell
Tuttle

Mr. Watkins
Weter
White
Whitney

NAYS.

Mr. Aitkin
Barnaby
Bradley
Fairbanks

Mr. Foster
Kline
Krueger

Mr. Moriarty
Newton
Taylor

Mr. Ward
Wetmore
President pro tem
13

SPECIAL ORDER.

2:30 o'clock p. m.

The President announced that the hour had arrived for the special order and laid before the Senate

Senate bill No. 34 (file No. 31), entitled

A bill relative to the nomination of party candidates for public office and delegates to political conventions; to regulate primary elections and to prescribe penalties for violations of its provisions.

Mr. MacKay moved that the Senate resolve itself into the committee of the whole on the special order.

The motion prevailed.

The President called Mr. Foster to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee of the whole has had under consideration the above named bill,

Has made one amendment thereto, and has directed its chairman to report the same back to the Senate, asking that the amendment be concurred in, but not having completed the consideration thereof, reports progress and asks leave to sit again on the bill.

EUGENE FOSTER,
Chairman.

The report was accepted.

The Senate concurred in the amendment made to the bill by the committee and in the recommendation that the committee be granted leave to sit again on the bill.

Mr. Anhut moved that the above entitled bill be made a special order for Wednesday, March 3, at 2:30 o'clock p. m.

The motion prevailed.

By unanimous consent the Senate resumed the order of

REPORTS OF STANDING COMMITTEES.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

Senate bill No. 51 (file No. 47), entitled

A bill to provide for the election of a Superintendent of Public Instruction;

With the recommendation that the bill pass.

GEO. G. SCOTT,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 126 (file No. 112), entitled

A bill to provide for grading certain clerical positions in the several departments of the State government; to regulate the compensation of department clerks and to repeal all acts or parts of acts contravening the provisions of this act;

Without recommendation.

J. D. M. MacKAY,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. MacKay moved that the bill be referred to the committee of the whole and placed on the general order.

The motion prevailed.

By the Committee on Counties and Townships:

The Committee on Counties and Townships reports

Senate bill No. 65 (file No. 60), entitled

A bill limiting the amount which may be raised in any county in any one year by the board of supervisors;

With the recommendation that the bill pass.

CHAS. E. WHITE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Counties and Townships:

The Committee on Counties and Townships reports

Senate bill No. 73 (file No. 66), entitled

A bill relative to the adjustment and payment of claims against counties;

With the following amendments thereto:

1. By striking out of line 6 of section 2 the word "allowance" and inserting in lieu thereof the word "disallowance."

2. By striking out of line 9 of section 2 the word "one" and inserting in lieu thereof the word "two."

Recommend that the amendments be concurred in, and that when so amended the bill pass.

CHAS. E. WHITE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. White moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

INTRODUCTION OF BILLS.

Mr. Taylor introduced

Senate bill No. 127, entitled

A bill to provide for the burial of the bodies of certain honorably discharged soldiers, sailors or marines, or the wives or widows of said soldiers, sailors or marines [or army nurses], in this State, who shall hereafter die without leaving means sufficient to defray funeral expenses, and to repeal Act No. 39 of the Public Acts of 1905.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Military Affairs.

Mr. Mapes introduced

Senate bill No. 128, entitled

A bill to amend section 2 of title 19 of an act, entitled "An act to revise the charter of the city of Grand Rapids, including therein also as part of such charter, the acts controlling the board of education and the board of library commissioners," approved June 6, 1905, the same being Act No. 593 of the Local Acts of 1905.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Cities and Villages.

Mr. Kline introduced

Senate bill No. 129, entitled

A bill to provide for uniform and free text books by counties in the public schools of this State.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Kline moved that 500 extra copies of the above entitled bill be printed for the use of the committee.

The motion prevailed.

Mr. Moriarty introduced

Senate bill No. 130, entitled

A bill to provide that it shall be unlawful for any person to make a false written statement of their property valuation to obtain credit from any other person, company, co-partnership or corporation, and providing a penalty for the violation thereof.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Kline introduced

Senate bill No. 131, entitled

A bill to repeal Act No. 340 of the Public Acts of 1907, entitled "An act to regulate the practice on appeal in chancery cases."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Kline introduced

Senate bill No. 132, entitled

A bill to amend section 19 of chapter 33 of the Compiled Laws of 1897, entitled "Jurisdiction, powers and procedure of probate courts."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Kline introduced

Senate bill No. 133, entitled

A bill to amend section 25 of chapter 33 of the Compiled Laws of 1897, entitled "Jurisdiction, powers and procedure of probate courts."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Kline introduced

Senate bill No. 134, entitled

A bill to amend section 42 of Act No. 204 of the Public Acts of 1901, entitled "An act to increase the efficiency of the military establishment of the State of Michigan, and to repeal all former acts or parts of acts inconsistent with the provisions of this act."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Military Affairs.

Mr. Fairbanks introduced

Senate bill No. 135, entitled

A bill to provide for a recording tax upon real estate mortgages, the manner for the collection of such recording tax, to provide a penalty for the non-payment thereof and to repeal all acts and parts of acts in anywise contravening any of the provisions of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. MacKay moved that the Senate adjourn.

The motion prevailed, the time being 5:25 o'clock p. m.

The President pro tem. declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

TWENTY-FIFTH DAY.

Lansing, Thursday, February 25.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. W. P. French, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Barnaby, Bates, Bolt, Bradley, Collins, Fairbanks, Foster, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Shields, Snell, Taylor, Tuttle, Watkins, Wetmore, White, Whitney—25.

The following Senators were absent with leave: Messrs. Anhut, Fowle, Ward, Weter—4.

The following Senators were absent without leave: Messrs. Dickinson, Scott, Smith—3.

Mr. MacKay asked and obtained leave of absence for the Committee on Industrial Home for Girls, consisting of Senators Scott, Dickinson and Smith, from the sessions of today and tomorrow.

Mr. Barnaby asked and obtained leave of absence for the Committee on Asylum for Insane at Pontiac, consisting of Senators Barnaby, Watkins and Scott, after 3:30 o'clock p. m. today, also from tomorrow's session.

Mr. Kingman asked and obtained leave of absence for the Committee on Michigan Reformatory, consisting of Senators Kingman, Weter and Tuttle, after 3 o'clock p. m. today, also from tomorrow's session.

Mr. Taylor asked and obtained leave of absence for the Committee on the State University, consisting of Senators Taylor, Wetmore and Fairbanks, also for Senator Bradley, member of the Committee on Finance and Appropriations, from tomorrow's session.

Mr. Mapes asked and obtained leave of absence for the Committee on Asylum for Insane at Kalamazoo, consisting of Senators Mapes, Whitney and Bradley, from the sessions of Monday and Tuesday.

Mr. Snell asked and obtained leave of absence for Senator MacKay and himself from tomorrow's session.

Messrs. Ming, Shields and Whitney asked and obtained leaves of absence for themselves from tomorrow's session.

Mr. White asked and obtained leave of absence for himself after 2:30 o'clock p. m. today, also from tomorrow's session.

Messrs. Kline and Krueger asked and obtained leaves of absence for themselves from the sessions of tomorrow and Monday.

Mr. Kingman asked and obtained leave of absence for himself from the session of Monday.

Mr. Aitkin asked and obtained leave of absence for himself from the sessions of next week.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that Senate bill No. 126 (file No. 112);

Has this day been received from the printer and is on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

PRESENTATION OF PETITIONS.

No. 108. By Mr. Watkins: Petition of Frank W. McKenzie and 21 other citizens of Concord, Jackson county, in favor of the passage of the Giles optometry bill.

The petition was referred to the Committee on Public Health.

No. 109. By Mr. Fox: Petition of W. H. Hammond and 24 other citizens of Almont, Lapeer county, in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 110. By Mr. Fox: Petition of George H. Thurston and 30 other citizens of Almont, Lapeer county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 111. By Mr. Fox: Petition of Mary Kirby and 19 other citizens of Almont, Lapeer county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 112. By Mr. Kingman: Petition of F. C. Burbanks and 31 other citizens of Branch county on the same subject.

The petition was referred to the Committee on Public Health.

No. 113. By Mr. Kingman: Petition of Richard Rogers and 23 other citizens of Branch county on the same subject.

The petition was referred to the Committee on Public Health.

No. 114. By Mr. Foster: Protest of R. W. Brink and 21 other citizens of Grayling against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 115. By Mr. Fox: Protest of John B. Higgs and 6 other members of Indian Camp No. 2386, M. W. of A., of Caro, on the same subject.

The protest was referred to the Committee on Insurance.

No. 116. By Mr. Bradley: Protest of H. E. Johnson and 43 other members of Saranac Camp No. 4513, M. W. of A., of Saranac, on the same subject.

The protest was referred to the Committee on Insurance.

No. 117. By Mr. Fairbanks: Protest of W. A. Wever and 19 other members of the M. W. of A., of Hart, on the same subject.

The protest was referred to the Committee on Insurance.

No. 118. By Mr. Taylor: Petition of Charles E. Dent and 13 other citizens of Vicksburg asking that licensed spiritualists be exempt from the provisions of House bill No. 89.

The petition was referred to the Committee on Religious and Benevolent Societies.

No. 119. By Mr. Foster: Petition of W. G. Pringle and 49 other citizens of Iosco county asking for certain amendments to the charters of the cities of Au Sable, East Tawas, Tawas City and Whittemore.

The petition was referred to the Committee on Cities and Villages.

No. 120. By Mr. Foster: Petition of Julius Benson and 19 other citizens of Iosco county on the same subject.

The petition was referred to the Committee on Cities and Villages.

No. 121. By Mr. Fox: Petition of F. H. Kitchen and 24 other citizens of Tuscola county urging the abolishment of the office of State Highway Commissioner and the repeal of the present county road law.

The petition was referred to the Committee on Roads and Bridges.

No. 122. By Mr. Watkins: Protest of C. S. Wheeler and 33 other citizens of the Tenth Senatorial District against the passage of the so-called Ormsbee liquor bill.

The protest was referred to the Committee on Liquor Traffic.

MOTIONS AND RESOLUTIONS.

Mr. Kline offered the following resolution:

Senate resolution No. 58.

Whereas, The legislature of 1907, under Act 188, of the Public Acts of 1907, created a commission to inquire into the system of handling tax lands and state tax homestead lands; and

Whereas, The said commission has made certain recommendations and changes in the present mode of handling these lands; therefore be it

Resolved, That a special committee of five members of the Senate be appointed by the President to investigate the handling of these lands by the State Land Commissioner's department, and report their findings to the Senate with such recommendations as they deem necessary.

Mr. Kline moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

The President announced as such committee Senators Kline, Watkins, Ming, Moriarty, Shields.

Mr. Bradley offered the following resolution:

Senate resolution No. 59.

Resolved, That Senator Bates be and he is hereby authorized to visit the Asylum for Insane at Pontiac with the committee on that institution as a member of the Committee on Finance and Appropriations.

Mr. Bradley moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 32 (file No. 18), entitled

A bill to amend section 1 of act number 176 of the Public Acts of 1893, entitled "An act to provide for the placing of juries, while engaged in the trial of cases of murder, under the charge of a competent officer duly sworn as prescribed in this act, and to define the duties of certain officers in relation thereto, and provide a penalty for any wilful violation thereof," being section 11960 of the Compiled Laws of 1897;

With the following amendment thereto:

By amending enacting section 1 to read as follows, so as to conform to the title:

Section 1. Section 1 of act number 176 of the Public Acts of 1893, entitled "An act to provide for the placing of juries, while engaged in the trial of cases of murder, under the charge of a competent officer

duly sworn as prescribed in this act, and to define the duties of certain officers in relation thereto, and to provide a penalty for any wilful violation thereof," being section 11960 of the Compiled Laws of 1897, is hereby amended to read as follows:

Recommend that the amendment be concurred in, and that when so amended the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations reports

Senate bill No. 76 (file No. 107), entitled

A bill to provide for the redemption and payment of outstanding bond No. 631 for three thousand dollars of the five million dollar loan of 1837, and to make appropriation therefor;

With the recommendation that the bill pass.

ERASTUS N. BATES,
Acting Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
February 25, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 89 (file No. 39), entitled

A bill to prohibit the practice of palmistry, clairvoyancy, astrology or fortune telling by cards or other devices for money or gain, and to provide a penalty for violation of the provisions of this act;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Religious and Benevolent Societies.

The following message from the House was also received and read:

House of Representatives,
February 25, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 10 (file No. 16), entitled

A bill to prohibit the use of petroleum, coal or kerosene oil for illuminating and heating purposes which have been adulterated or which will emit a combustible vapor at a temperature of one hundred twenty or less degrees, Fahrenheit's thermometer, and to repeal Act 241 of the Public Acts of 1899, entitled "An act to prohibit the use of products of petroleum for illuminating purposes, which have been adulterated, or which will emit a combustible vapor at a temperature less than one hundred twenty-one degrees Fahrenheit thermometer;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

INTRODUCTION OF BILLS.

Mr. Whitney introduced

Senate bill No. 136, entitled

A bill relative to the nomination of party candidates for public office and delegates to political conventions; to regulate primary elections and to prescribe penalties for violations of its provisions.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Elections.

Mr. Whitney moved that 500 extra copies of the above entitled bill be printed for the use of the committee.

The motion prevailed.

Mr. Fairbanks introduced

Senate bill No. 137, entitled

A bill to amend sections 3 and 5 of Act No. 109 of the Public Acts of 1907, entitled "An act to provide for the appointment of a bacteriologist by the State Board of Health; to provide for the purchase of the necessary appliances and apparatus for bacteriological examinations, and providing an appropriation therefor."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Public Health.

SPECIAL ORDER.

2:30 o'clock p. m.

The President announced that the hour had arrived for the special order and laid before the Senate

Senate bill No. 122 (file No. 105), entitled

A bill to establish the State civil service commission; to regulate the civil service of the State of Michigan; and making an appropriation therefor.

Mr. Ming moved that the Senate reconsider the vote by which the above entitled bill was made a special order for today at 2:30 o'clock p. m.

The motion prevailed.

Mr. Mapes moved that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed.

Mr. Moriarty moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Snell to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 51 (file No. 47), entitled

A bill to provide for the election of a Superintendent of Public Instruction;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

Also:

House bill No. 32 (file No. 18), entitled

A bill to amend section 1 of Act No. 176 of the Public Acts of 1893, entitled "An act to provide for the placing of juries, while engaged in the trial of cases of murder, under the charge of a competent officer duly sworn as prescribed in this act, and to define the duties of certain officers in relation thereto, and to provide a penalty for any willful violation thereof;"

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

Also:

Senate bill No. 69 (file No. 106), entitled

A bill to place under the control and management of the board of

commissioners of Mackinac Island State Park, the site formerly occupied as a military post under the name of Fort Michilimackinac, in the village of Mackinaw City, in the county of Cheboygan and State of Michigan, heretofore conveyed to the State of Michigan by said village of Mackinaw City, under and by virtue of the provisions of Act No. 520 of the Local Acts of 1903, known as Wawatam Park, defining the power and authority of said Mackinac Island State Park Board therein, and to authorize it to make, publish and enforce rules and regulations for the care, order and preservation thereof;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

Also:

Senate bill No. 65 (file No. 60), entitled

A bill limiting the amount which may be raised in any county in any one year by the board of supervisors;

Has made one amendment thereto and has directed its chairman to report the same back to the Senate, asking concurrence therein, but not having completed the consideration thereof, reports progress and asks leave to sit again on the bill.

Also:

Senate bill No. 72 (file No. 91), entitled

A bill to amend section 8 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," and acts amendatory thereof, being section 4815 of the Compiled Laws of 1897, as amended by section 8 of Act No. 127 of the Public Acts of 1907;

Has made one amendment thereto and has directed its chairman to report the same back to the Senate, asking concurrence therein but not having completed the consideration thereof, reports progress and asks leave to sit again on the bill.

L. W. SNELL,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first, second and third named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendments made to the fourth and fifth named bills in the report and the committee was granted leave to sit again on the bills.

THIRD READING OF BILLS.

House bill No. 48 (file No. 19), entitled

A bill to amend section 1 of Act No. 256 of the Public Acts of 1881, entitled "An act to provide for suits against foreign corporations in

the courts of this state," the same being section 10442 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Taylor	
Barnaby	Fox	Moriarty	Tuttle	
Bates	Kline	Newton	Watkins	
Bolt	Krueger	Shields	Wetmore	
Collins	MacKay	Snell	Whitney	
Fairbanks				21

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 51 (file No. 47), entitled

A bill to provide for the election of a Superintendent of Public Instruction;

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Ming	Mr. Taylor	
Barnaby	Foster	Moriarty	Tuttle	
Bates	Kline	Newton	Watkins	
Bolt	Krueger	Shields	Wetmore	
Bradley	Mapes	Snell	Whitney	
Collins				21

NAYS.

0

The title of the bill was agreed to.

House bill No. 32 (file No. 18), entitled

A bill to amend section 1 of Act No. 176 of the Public Acts of 1893, entitled "An act to provide for the placing of juries, while engaged in the trial of cases of murder, under the charge of a competent officer duly sworn as prescribed in this act, and to define the duties of certain officers in relation thereto, and to provide a penalty for any willful violation thereof";

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Collins	Mr. Krueger	Mr. Taylor	
Barnaby	Fairbanks	Moriarty	Tuttle	
Bates	Foster	Newton	Watkins	
Bolt	Fox	Shields	Wetmore	
Bradley	Kline	Snell	Whitney	

20

NAYS.

Mr. Ming

1

The title of the bill was agreed to.

Mr. Moriarty moved that when the Senate adjourns today, it stand adjourned until tomorrow at 9 o'clock a. m.

The motion prevailed.

By unanimous consent the Senate returned to the order of

INTRODUCTION OF BILLS

Mr. Newton introduced

Senate bill No. 138, entitled

A bill to amend section 1 of Act No. 266 of the Public Acts of 1895, entitled "An act relative to bonds and other obligations, with surety or sureties, and the acceptance as surety thereon of companies qualified to act as such, and the release of such surety and the safe depositing of assets for which such surety may be liable, and to the charging by fiduciaries of the expense of procuring sureties and repealing all laws in conflict therewith," as amended by Act No. 106 of the Public Acts of 1897, the same being compiler's section 5196 of the Compiled Laws 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Insurance.

Mr. Moriarty moved that the Senate adjourn.

The motion prevailed, the time being 3:45 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 9 o'clock a. m.

ELBERT V. CHILSON,
Secretary of the Senate

TWENTY-SIXTH DAY.

Lansing, Friday, February 26.

9 o'clock a. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Bolt, Collins, Foster, Fox, Moriarty, Newton, Tuttle—8.

The following Senators were absent with leave: Messrs. Anhut, Barnaby, Bradley, Dickinson, Fairbanks, Fowle, Kingman, Kline, Krueger, MacKay, Ming, Scott, Shields, Smith, Snell, Taylor, Ward, Watkins, Weter, Wetmore, White, Whitney—22.

The following Senators were absent without leave: Messrs. Bates, Mapes—2.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

TWENTY-SEVENTH DAY.

Lansing, Saturday, February 27.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Smith, Tuttle.

The following Senators were absent without leave: Messrs. Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Snell, Taylor, Ward, Watkins, Weter, Wetmore, White, Whitney—29.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the President declared the Senate adjourned until Monday, March 1, at 2 o'clock p. m.

**ELBERT V. CHILSON,
Secretary of the Senate.**

TWENTY-EIGHTH DAY.

Lansing, Monday, March 1.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Bates, Foster, Moriarty, Wetmore—4.

The following Senators were absent with leave: Messrs. Aitkin, Bradley, Kingman, Kline, Krueger, Mapes, Whitney—7.

The following Senators were absent without leave: Messrs. Anhut, Barnaby, Bolt, Collins, Dickinson, Fairbanks, Fowle, Fox, MacKay, Ming, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, White—21.

Mr. Bates moved that there be a call of the Senate.
The motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the Senate was called by the Secretary, and the following Senators were reported absent without leave: Messrs. Anhut, Barnaby, Bolt, Collins, Dickinson, Fairbanks, Fowle, Fox, MacKay, Ming, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, White.

Mr. Bates moved that the Sergeant-at-Arms be despatched after the absentees.

The motion prevailed.

Senators Anhut, Dickinson, Fairbanks, Fox, MacKay, Newton, Shields, Tuttle, Weter and Wetmore entered the Senate Chamber and took their seats.

At 9 o'clock p. m. the Sergeant-at-Arms announced that he was unable to locate in the city other Senators than those named above.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

TWENTY-NINTH DAY.

Lansing, Tuesday, March 2.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. L. S. Katterhenry, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Anhut, Barnaby, Bates, Collins, Dickinson, Fairbanks, Foster, Fox, Kingman, Kline, Krueger, MacKay, Moriarty, Newton, Shields, Snell, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White—23.

The following Senators were absent with leave: Messrs. Aitkin, Bradley, Mapes, Whitney—4.

The following Senators were absent without leave: Messrs. Bolt, Fowle, Ming, Scott, Smith—5.

Mr. Moriarty moved that leaves of absence be granted to the absentees from today's session.

The motion prevailed.

Mr. Moriarty asked and obtained leaves of absence for Messrs. Fowle and Smith from tomorrow's session.

Mr. Foster asked and obtained leave of absence for Mr. Ming from the remaining sessions of this week.

Mr. MacKay asked and obtained leave of absence for Mr. Scott from the remaining sessions of this week, owing to sickness in his family.

Mr. Ward moved that leaves of absence be granted to the absentees from the sessions of Saturday and Monday.

The motion prevailed.

Mr. Moriarty moved that all further proceedings under the call be dispensed with.

The motion prevailed.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that
Senate bill No. 127 (file No. 113);
Senate bill No. 128 (file No. 114);
Senate bill No. 129 (file No. 115);
Senate bill No. 130 (file No. 116);
Senate bill No. 131 (file No. 117);
Senate bill No. 132 (file No. 118);
Senate bill No. 133 (file No. 119);
Senate bill No. 134 (file No. 120);
Senate bill No. 135 (file No. 121);
Senate bill No. 136 (file No. 122);
Senate bill No. 137 (file No. 123);
Senate bill No. 138 (file No. 124);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

PRESENTATION OF PETITIONS.

No. 123. By Mr. Fox: Petition of W. F. Fitzgerald and 15 other citizens of Tuscola county urging the abolishment of the office of State Highway Commissioner and the repeal of the present county road law.
The petition was referred to the Committee on Roads and Bridges.

No. 124. By Mr. Fox: Petition of Carl Jenson and 69 other citizens of Tuscola county on the same subject.
The petition was referred to the Committee on Roads and Bridges.

No. 125. By Mr. Fox: Petition of James C. Colling and 59 other citizens of Tuscola county on the same subject.
The petition was referred to the Committee on Roads and Bridges.

No. 126. By Mr. Fox: Petition of H. G. Spring and 50 other citizens of Tuscola county on the same subject.
The petition was referred to the Committee on Roads and Bridges.

No. 127. By Mr. Fox: Petition of Hiram J. Bell and 50 other citizens of Tuscola county on the same subject.
The petition was referred to the Committee on Roads and Bridges.

No. 128. By Mr. Fox: Petition of William S. Bird and 37 other citizens of Tuscola county on the same subject.
The petition was referred to the Committee on Roads and Bridges.

No. 129. By Mr. Fox: Petition of Oscar M. York and 15 other citizens of Tuscola county on the same subject.
The petition was referred to the Committee on Roads and Bridges.

No. 130. By Mr. Dickinson: Petition of W. E. Holt and 34 other citizens of Bellevue in favor of the passage of the Giles optometry bill. The petition was referred to the Committee on Public Health.

No. 131. By Mr. Collins: Petition of E. C. Wood and 5 other citizens of Bay City on the same subject. The petition was referred to the Committee on Public Health.

No. 132. By Mr. Bates: Petition of Harry N. Dyer and 49 other citizens of Allegan county in favor of the passage of the firemen's pension act. The petition was referred to the Committee on State Affairs.

No. 133. By Mr. Kingman: Petition of R. C. Jones and 27 other members of the Homer fire department on the same subject. The petition was referred to the Committee on State Affairs.

No. 134. By Mr. Kingman: Petition of Dan Monnors and 13 other members of the Albion fire department on the same subject. The petition was referred to the Committee on State Affairs.

No. 135. By Mr. Wetmore: Petition of Mike Taylor and 22 other members of the Cadillac fire department on the same subject. The petition was referred to the Committee on State Affairs.

No. 136. By Mr. Tuttle: Petition of Claude Perry and 12 other members of the Durand fire department on the same subject. The petition was referred to the Committee on State Affairs.

No. 137. By Mr. Tuttle: Petition of Hugo R. Delfs and 27 other members of the Lansing fire department on the same subject. The petition was referred to the Committee on State Affairs.

No. 138. By Mr. Kingman: Petition of Frank Brown and 13 other members of the Coldwater fire department on the same subject. The petition was referred to the Committee on State Affairs.

No. 139. By Mr. Newton: Petition of Charles Andrews and 20 other members of the Ann Arbor fire department on the same subject. The petition was referred to the Committee on State Affairs.

No. 140. By Mr. Taylor: Protest of C. F. Smith and 101 other members of Three Rivers Camp No. 840, M. W. of A., against the passage of the minimum rate bill for fraternal insurance societies. The protest was referred to the Committee on Insurance.

No. 141. By Mr. Taylor: Protest of the members of Kalamazoo Camp No. 851 and Sylvan Camp No. 831, M. W. of A., of Kalamazoo, on the same subject.

The protest was referred to the Committee on Insurance.

No. 142. By Mr. Fairbanks: Protest of W. H. Potter and 32 other members of Hesperia Camp, M. W. of A., on the same subject.

The protest was referred to the Committee on Insurance.

No. 143. By Mr. Fairbanks: Protest of E. A. Bower and 39 other members of Hart Camp, M. W. of A., on the same subject.

The protest was referred to the Committee on Insurance.

No. 144. By Mr. Moriarty: Resolutions of Norway Pine Camp No. 2931, M. W. of A., of Norway, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 145. By Mr. Weter: Petition of Charles King and 146 other citizens of Port Huron in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 146. By Mr. Weter: Petition of W. C. McAllister and 55 other citizens of St. Clair county on the same subject.

The petition was referred to the Committee on Public Health.

No. 147. By Mr. Dickinson: Petition of O. J. Golden and 60 other citizens of Elsie on the same subject.

The petition was referred to the Committee on Public Health.

No. 148. By Mr. Shields: Petition of Edward S. Houghtaling and 19 other citizens of Livingston county on the same subject.

The petition was referred to the Committee on Public Health.

No. 149. By Mr. Fairbanks: Petition of W. B. Winters and 30 other citizens of Hesperia on the same subject.

The petition was referred to the Committee on Public Health.

No. 150. By Mr. Newton: Protest of George S. Osborn and 17 other citizens of school district No. 12, Augusta, against the proposed township unit school law.

The protest was referred to the Committee on Education and Public Schools.

No. 151. By Mr. Dickinson: Protest of J. H. Backus and 65 other citizens of Oneida township, Eaton county, on the same subject.

The protest was referred to the Committee on Education and Public Schools.

No. 152. By Mr. Foster: Resolutions of the Gladwin County Teachers' Association in favor of the passage of the township unit school law.

The resolutions were referred to the Committee on Education and Public Schools.

No. 153. By Mr. Watkins: Protest of Hon. E. W. Barber and 96 other citizens of Jackson against the passage of a bill to prohibit the practice of clairvoyancy and other psychic powers of the mind, either mental or spiritual, insofar as ministers and mediums recognized by the State Spiritual Association and National Association are concerned.

The protest was referred to the Committee on Religious and Benevolent Societies.

No. 154. By Mr. Watkins: Protest of W. E. Howard and 64 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Religious and Benevolent Societies.

No. 155. By Mr. Taylor: Protest of the Michigan Automobile Company of Kalamazoo, against the passage of a bill repealing the carload rate law.

The protest was referred to the Committee on Railroads.

MOTIONS AND RESOLUTIONS.

Mr. Taylor offered the following resolution:

Senate resolution No. 60.

Whereas, There is now pending in Congress, House Joint Resolution No. 262, providing for extending, for two years, the provisions of what is understood to be the only act placing any limitation on the commercial use of Niagara Falls, which act is about to expire by limitation, and believing that the use of the Falls for power purposes should be reasonably limited, it is

Resolved by the Senate (the House of Representatives concurring), That the Senators and Representatives in Congress from Michigan, be respectfully urged to secure, if possible, the adoption of such resolution before adjournment; and be it further

Resolved, That the Secretary of the Senate and Clerk of the House of Representatives transmit the above resolution by telegraph to Senators Burrows and Smith and to Congressman S. W. Smith of the Sixth Congressional District.

Mr. Taylor moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Fairbanks offered the following resolution:

Senate resolution No. 61.

Resolved, That the Sergeant-at-Arms be directed to detail three of the Floor Messengers to assist the Document Room Keeper in the performance of his duties on mailing days, said assistance to be rendered only when the Senate is not in session.

The resolution was adopted.

Mr. Newton moved that Hon. Thaddeus D. Seeley, of Oakland county, a former member of the Senate, be invited to address the Senate, and that a special committee be appointed to escort Mr. Seeley to the chair.

The motion prevailed.

The President appointed as such committee, Messrs. Moriarty, Newton and Wetmore.

Mr. Seeley then addressed the Senate.

REPORTS OF STANDING COMMITTEES.

By the Committee on State Library:

The Committee on State Library reports

Senate bill No. 25 (file No. 22), entitled

A bill making an appropriation for the State Board of Library Commissioners for the special purposes of defraying the expenses of organization of existing and new libraries, and for the expense of library institutes and training schools, and for the general expenses of the board for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same.

With the following amendment thereto:

By striking out of line 4, of section 1, after the word "follows" lines 4, 5, 6, and line 7 up to the word "instructors" and inserting in lieu thereof the words:

"For secretary and clerical assistance, sixteen hundred dollars.

"For defraying expenses of organizing libraries and of conducting library institutes and training schools, two thousand dollars.

"For traveling expenses of organizer, eight hundred dollars.

"Supplies and incidentals, four hundred dollars;"

Recommend that the amendment be concurred in, and that when so amended the bill be referred to the Committee on Finance and Appropriations.

JOHN N. ANHUT,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Anhut moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the Committee on Finance and Appropriations.

By the Committee on State Library:

The Committee on State Library reports

Senate bill No. 26 (file No. 23), entitled

A bill to provide for the purchase of books and other material for the Michigan State Library, and books and equipments for the Michigan traveling libraries, and for printing and binding, making an appropriation therefor and to provide a tax to meet the same;

With the following amendment thereto:

By striking out all of section 1 and inserting in lieu thereof the following to stand as section 1:

"Section 1. There is hereby appropriated for the fiscal year ending June 30, 1910, the sum of sixty-five hundred dollars and for the fiscal year ending June 30, 1911, the sum of sixty-five hundred dollars for purposes during each of said fiscal years as follows:

"For the purchase of books for the State library six thousand dollars.

"For such other expenditures as are necessary to the welfare of the State library, five hundred dollars;"

Recommend that the amendment be concurred in, and that when so amended the bill be referred to the Committee on Finance and Appropriations.

JOHN N. ANHUT,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Anhut moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the Committee on Finance and Appropriations.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 11 (file No. 19), entitled

A bill to amend section 5 of chapter 303 of the Compiled Laws of 1897, entitled "The action of ejectment," being compiler's section 10951;

With the following amendment thereto:

By revising enacting section 1 to read as follows:

"Section 1. Section 5 of chapter 108 of the Revised Statutes of 1846, entitled 'The action of ejectment,' being compiler's section 10951 of the Compiled Laws of 1897, is hereby amended to read as follows;"

Recommend that the amendment be concurred in, and that when so amended the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Taxation:

The Committee on Taxation reports

House bill No. 19 (file No. 13), entitled

A bill to amend section 152 of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891 and all other acts and parts of acts in anywise contravening any of the provisions of this act," approved June 1, 1893, being compiler's section No. 3824 et seq. of the Compiled Laws of 1897, as said act was amended by Act No. 154 of the Public Acts

The President appointed as such committee, Messrs. Moriarty, Newton and Wetmore.

Mr. Seeley then addressed the Senate.

REPORTS OF STANDING COMMITTEES.

By the Committee on State Library:

The Committee on State Library reports

Senate bill No. 25 (file No. 22), entitled

A bill making an appropriation for the State Board of Library Commissioners for the special purposes of defraying the expenses of organization of existing and new libraries, and for the expense of library institutes and training schools, and for the general expenses of the board for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same.

With the following amendment thereto:

By striking out of line 4, of section 1, after the word "follows" lines 4, 5, 6, and line 7 up to the word "instructors" and inserting in lieu thereof the words:

"For secretary and clerical assistance, sixteen hundred dollars.

"For defraying expenses of organizing libraries and of conducting library institutes and training schools, two thousand dollars.

"For traveling expenses of organizer, eight hundred dollars.

"Supplies and incidentals, four hundred dollars;"

Recommend that the amendment be concurred in, and that when so amended the bill be referred to the Committee on Finance and Appropriations.

JOHN N. ANHUT,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Anhut moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the Committee on Finance and Appropriations.

By the Committee on State Library:

The Committee on State Library reports

Senate bill No. 26 (file No. 23), entitled

A bill to provide for the purchase of books and other material for the Michigan State Library, and books and equipments for the Michigan traveling libraries, and for printing and binding, making an appropriation therefor and to provide a tax to meet the same;

With the following amendment thereto:

By striking out all of section 1 and inserting in lieu thereof the following to stand as section 1:

"Section 1. There is hereby appropriated for the fiscal year ending June 30, 1910, the sum of sixty-five hundred dollars and for the fiscal year ending June 30, 1911, the sum of sixty-five hundred dollars for purposes during each of said fiscal years as follows:

"For the purchase of books for the State library six thousand dollars.

"For such other expenditures as are necessary to the welfare of the State library, five hundred dollars;"

Recommend that the amendment be concurred in, and that when so amended the bill be referred to the Committee on Finance and Appropriations.

JOHN N. ANHUT,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Anhut moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the Committee on Finance and Appropriations.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 11 (file No. 19), entitled

A bill to amend section 5 of chapter 303 of the Compiled Laws of 1897, entitled "The action of ejectment," being compiler's section 10951;

With the following amendment thereto:

By revising enacting section 1 to read as follows:

"Section 1. Section 5 of chapter 108 of the Revised Statutes of 1846, entitled 'The action of ejectment,' being compiler's section 10951 of the Compiled Laws of 1897, is hereby amended to read as follows;"

Recommend that the amendment be concurred in, and that when so amended the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Taxation:

The Committee on Taxation reports

House bill No. 19 (file No. 13), entitled

A bill to amend section 152 of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891 and all other acts and parts of acts in anywise contravening any of the provisions of this act," approved June 1, 1893, being compiler's section No. 3824 et seq. of the Compiled Laws of 1897, as said act was amended by Act No. 154 of the Public Acts

of 1899, approved June 23, 1899, and as said act was further amended by Act No. 281 of the Public Acts of 1905, approved June 16, 1905;

With the recommendation that the bill pass.

EARL FAIRBANKS,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 2, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 8 (file No. 14), entitled

A bill to amend sections 1, 3, 5 and 6 of Act No. 26, Public Acts of 1899, as amended by Act No. 197, Public Acts of 1903, being "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils and to repeal Act No. 127, Laws of 1879, as amended by Act No. 49 of the Laws of 1881, Act No. 20 of the Laws of 1883, Act No. 71 of the Laws of 1891 and Act No. 94 of the Laws of 1893;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

The following message from the House was also received and read:

House of Representatives,
March 2, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 113 (file No. 45), entitled

A bill to provide for the payment of deposits in a bank, savings bank or trust company, when deposited in the name of two or more persons and payable to either, or to either of the survivors, and to relieve such bank, savings bank or trust company from liability for such payment;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives

The bill was read a first and second time by its title and referred to the Committee on Banks and Corporations.

The following message from the House was also received and read:

House of Representatives,
March 2, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill;
House bill No. 91 (file No. 50), entitled

A bill to amend the title and sections 1, 4 and 9 of Act No. 233 of the Public Acts of 1887, entitled "An act to authorize the sale, in certain cases, of land devised or bequeathed by will, without power of sale," being compiler's sections 9234, 9237 and 9242 of the Compiled Laws of 1897, as amended by Act No. 55 of the Public Acts of 1901;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 2, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill;
House bill No. 79 (file No. 43), entitled

A bill to amend section 28 of Act 183 of the Public Acts of 1897, entitled "An act to provide for the appointment, and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," the same being compiler's section No. 390 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 2, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 40 (file No. 46), entitled

A bill to amend section 14 of Act 156 of the Public Acts of 1851, as amended by Act No. 46 of the Public Acts of 1905, same being section 2487 of the Compiled Laws of 1897 and relating to the organization, vacation, division or alteration of townships;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Counties and Townships.

The following message from the House was also received and read:

House of Representatives,
March 2, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 51 (file No. 52), entitled

A bill to amend section 20 of Act No. 108 of the Public Acts of 1907, entitled "An act to provide for the assessment of money taxes for highway purposes and to repeal chapter 2, 'Assessments for highway purposes,' and chapter 3, 'The performance of labor on highways and the commutations therefor,' of Act No. 243 of the Public Acts of 1881, as amended, being compiler's section Nos. 4072 to 4103, inclusive, of the Compiled Laws of 1897, and all acts and parts of acts inconsistent with the provisions hereof;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Roads and Bridges.

The following message from the House was also received and read:

House of Representatives,
February 26, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 97 (file No. 38), entitled

A bill to place under the control and management of the board of commissioners of Mackinac Island State Park the site formerly occupied as a military post under the name of Fort Michilimackinac, in the village of Mackinaw City in the county of Cheboygan, Michigan, heretofore conveyed to the State of Michigan by said village of Mackinaw City under

and by virtue of the provisions of Act No. 520 of the Local Acts of 1903, conveyed as "Wawatam Park," defining the power and authority of said Mackinac Island State Park Board therein, and to authorize it to make, publish and enforce rules and regulations for the care, order and preservation thereof, and to change the name of said park;

And to inform the Senate that the bill has passed the House

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

The following message from the House was also received and read:

House of Representatives,

March 2, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 47 (file No. 22), entitled

A bill to amend section 63 of chapter 103 of the Revised Statutes of 1846, entitled "Trials and proceedings incident thereto," being compiler's section 10248 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,

March 2, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 39 (file No. 37), entitled

A bill to amend section 1 of Act No. 17 of the Public Acts of 1903, entitled "An act to amend the title and sections 1 and 29 of an act, entitled 'An act to establish, protect and enforce by lien the rights of mechanics and other persons furnishing labor or materials for building, altering, improving, repairing, erecting or ornamenting of buildings, machinery, wharves, and all other structures, and to repeal all acts contravening the provisions of this act,' being chapter 296 of the Compiled Laws of the State of Michigan of 1897," approved March 26, 1903;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
March 2, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 71 (file No. 63), entitled

A bill to amend section 15 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May 29, 1897, being section 377 of the Compiled Laws of 1897, as amended by Act No. 75 of the Public Acts of 1903;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

INTRODUCTION OF BILLS.

Mr. Snell introduced

Senate bill No. 139, entitled

A bill for the protection of the public health and the prevention of fraud and deception by regulating the sale of cold storage poultry, game and eggs, providing penalties for the violation thereof and providing for the enforcement thereof.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Public Health.

Mr. Snell introduced

Senate bill No. 140, entitled

A bill to regulate the manufacture and sale of ice cream within the limits of the State of Michigan.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Public Health.

Mr. Fox introduced

Senate bill No. 141, entitled

A bill to amend section 43 of Act No. 206 of the Public Acts of 1893,

entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied, making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891 and all other acts and parts of acts in anywise contravening any of the provisions of this act," being compiler's section 3866 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. Newton introduced

Senate bill No. 142, entitled

A bill to authorize boards of education in certain cases to appoint superintendents of schools and business managers; and to define the powers and duties of such superintendents and business managers.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Taylor introduced

Senate bill No. 143, entitled

A bill to amend section 22 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May 29, 1897, being section 377 of the Compiled Laws of 1897, as amended by Act No. 75 of the Public Acts of 1903.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Taylor introduced

Senate bill No. 144, entitled

A bill to amend section 1 of Act No. 131 of the Session Laws of 1867, entitled "An act supplementary to an act, entitled 'An act to establish the Detroit House of Correction and authorize the confinement of convicted persons therein,'" the same being section 2176 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. MacKay moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Shields to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 73 (file No. 66), entitled

A bill relative to the adjustment and payment of claims against counties;

Also:

Senate bill No. 11 (file No. 19), entitled

A bill to amend section 5 of chapter 303 of the Compiled Laws of 1897, entitled "The Action of Ejectment," being compiler's section 10951;

Also:

House bill No. 19 (file No. 13), entitled

A bill to amend section 152 of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891, and all other acts and parts of acts in any wise contravening any of the provisions of this act," approved June 1, 1893, being compiler's section No. 3824 et seq. of the Compiled Laws of 1897, as said act was amended by Act No. 154 of the Public Acts of 1899, approved June 23, 1899, and as said act was further amended by Act No. 281 of the Public Acts of 1905, approved June 16, 1905;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate bill No. 65 (file No. 60), entitled

A bill limiting the amount which may be raised in any county in any one year by the board of supervisors;

Also:

Senate bill No. 72 (file No. 91), entitled

A bill to amend section 8 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," and acts amendatory thereof, being section 4815 of the Compiled Laws of 1897 as amended by section 8 of Act No. 127 of the Public Acts of 1907;

Has made sundry amendments thereto and has directed its chairman to report the same back to the Senate, asking concurrence therein, but not having completed the consideration thereof, reports progress and asks leave to sit again on the bills.

FRANCIS J. SHIELDS,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first, second and third named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendments and in the recommendation of the Committee regarding the fourth and fifth named bills in the report and the committee was granted leave to sit again on the bills.

THIRD READING OF BILLS.

Senate bill No. 11 (file No. 19), entitled
A bill to amend section 5 of chapter 303 of the Compiled Laws of 1897, entitled "The Action of Ejectment," being compiler's section 10951;
Was read a third time and passed, a majority of all the Senators-elect voting therefor. by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Foster	Mr. Moriarty	Mr. Ward	
Barnaby	Fox	Newton	Watkins	
Bates	Kingman	Shields	Weter	
Collins	Kline	Snell	Wetmore	
Dickinson	Krueger	Taylor	White	
Fairbanks	MacKay	Tuttle		23

NAYS.

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The question being on agreeing to the title,
Mr. Collins moved to amend the title so as to read as follows:
"A bill to amend section 5 of chapter 108 of the Revised Statutes of 1846, entitled 'The action of ejectment,' being compiler's section 10951 of the Compiled Laws of 1897."

The motion prevailed, and the title of the bill was so amended.
The title of the bill as amended, was then agreed to.

House bill No. 19 (file No. 13), entitled
A bill to amend section 152 of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891, and all other acts and parts of acts in any wise contravening any of the provisions of this act," approved June 1, 1893, being compiler's section No. 3824 et seq. of the Compiled Laws of 1897, as said act was amended by Act No. 154 of the Public Acts of 1899, approved June 23, 1899, and as said act was further amended by Act No. 281 of the Public Acts of 1905, approved June 16, 1905;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Foster	Mr. Moriarty	Mr. Ward	
Barnaby	Fox	Newton	Watkins	
Bates	Kingman	Shields	Weter	
Collins	Kline	Snell	Wetmore	
Dickinson	Krueger	Taylor	White	
Fairbanks	MacKay	Tuttle		23

NAYS.

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The title of the bill was agreed to.

Senate bill No. 73 (file No. 66), entitled

A bill relative to the adjustment and payment of claims against counties;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Foster	Mr. Moriarty	Mr. Ward	
Barnaby	Fox	Newton	Watkins	
Bates	Kingman	Shields	Weter	
Collins	Kline	Snell	Wetmore	
Dickinson	Krueger	Taylor	White	
Fairbanks	MacKay	Tuttle		23

NAYS.

0

The question being on agreeing to the title,

Mr. White moved to amend the title so as to read as follows:

"A bill relative to the adjustment and payment of claims against counties and to provide for appeals from the disallowance thereof."

The motion prevailed, and the title of the bill was so amended.

The title of the bill as amended, was then agreed to.

By unanimous consent the Senate returned to the order of

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 2, 1909.

To the President of the Senate:

Sir—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 60.

Whereas, There is now pending in Congress, House Joint Resolution No. 262, providing for extending, for two years, the provisions of what

is understood to be the only act placing any limitation on the commercial use of Niagara Falls, which act is about to expire by limitation, and believing that the use of the Falls for power purposes should be reasonably limited, it is

Resolved by the Senate (the House of Representatives concurring), That the Senators and Representatives in Congress from Michigan, be respectfully urged to secure, if possible, the adoption of such resolution before adjournment; and be it further

Resolved, That the Secretary of the Senate and Clerk of the House of Representatives transmit the above resolution by telegraph to Senators Burrows and Smith and to Congressman S. W. Smith of the Sixth Congressional District.

In the adoption of which the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

Mr. Moriarty moved that the Senate adjourn.

The motion prevailed, the time being 3:45 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

THIRTIETH DAY.

Lansing, Wednesday, March 3.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. L. S. Katterhenry, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Anhut, Barnaby, Bates, Bradley, Collins, Dickinson, Fairbanks, Foster, Fox, Krueger, MacKay, Mapes, Moriarty, Newton, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—25.

The following Senators were absent with leave: Messrs. Aitkin, Fowle, Ming, Scott—4.

The following Senators were absent without leave: Messrs. Bolt, Kingman, Kline—3.

Mr. Taylor moved that leave of absence be granted to the absentees from today's session.

The motion prevailed.

Mr. Fairbanks asked and obtained leave of absence for himself after 3 o'clock p. m. today and from the remaining sessions of this week.

Mr. Smith asked and obtained leave of absence for himself from the remaining sessions of this week.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
March 3, 1909.

To the President of the Senate:

Sir:—I hereby submit the following nominations for the consideration of the Senate:

Edward P. Allen, of Ypsilanti, Washtenaw county, as member of the Board of Managers of the Michigan Soldiers' Home, for the term of six years, from and after March 1, 1909;

Alfred Milnes, of Coldwater, Branch county, as member of the Board of Managers of the Michigan Soldiers' Home, for the term of six years, from and after March 1, 1909;

Frank L. Haynes, of Manistee, Manistee county, as member of the Board of Examiners in Dentistry, for the term of five years, from and after January 1, 1909;

George B. Yerkes, of Detroit, Wayne county, as member of the Board of Health of the city of Detroit, for the term of four years, from and after March 1, 1909.

Very respectfully,

FRED M. WARNER,
Governor.

The message was referred to the Committee on Executive Business.

PRESENTATION OF PETITIONS.

No. 156. By Mr. Dickinson: Petition of J. M. Dell and 21 other members of the Charlotte fire department in favor of the passage of the firemen's pension act.

The petition was referred to the Committee on State Affairs.

No. 157. By Mr. Dickinson: Petition of E. W. Shaw and 9 other members of the Eaton Rapids fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 158. By Mr. Dickinson: Petition of Frank D. Baker and 19 other members of the Hastings fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 159. By Mr. Fox: Petition of John A. Buerger and 13 other members of the Lapeer fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 160. By Mr. Fox: Petition of A. J. Aurand and 13 other members of the Columbiaville fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 161. By Mr. Fairbanks: Petition of Thomas Scott and 8 other members of the Manistee fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 162. By Mr. Fairbanks: Petition of F. L. Corbin and 20 other members of the Hart fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 163. By Mr. Wetmore: Petition of E. L. Stanford and 14 other members of the Boyne City fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 164. By Mr. Wetmore: Petition of Emmet Whitford and 27 other members of the Manton fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 165. By Mr. Ward: Petition of Charles Fishbeck and 14 other members of the Alma fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 166. By Mr. Ward: Petition of J. N. Taggart and 11 other members of the Mt. Pleasant fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 167. By Mr. Bradley: Petition of George E. Kart and 19 other members of the Lake Odessa fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 168. By Mr. Bradley: Petition of Allen Wilson and 10 other members of the Belding fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 169. By Mr. White: Petition of F. L. McIntosh and 21 other members of the Cassopolis fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 170. By Mr. White: Petition of A. G. Marshall and 17 other members of the St. Joseph fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 171. By Mr. Taylor: Petition of C. H. Russell and 40 other members of the Kalamazoo fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 172. By Mr. Foster: Petition of D. Watkins and 12 other members of the Reed City fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 173. By Mr. Bolt: Petition of Fred Smith and 26 other members of the Holland fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 174. By Mr. Barnaby: Petition of R. Root and 9 other members of the Grand Rapids fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 175. By Mr. Dickinson: Petition of Fred R. Everett and 24 other citizens of Ovid in favor of the passage of the Giles optometry bill.

The petition was referred to the Committee on Public Health.

No. 176. By Mr. Watkins: Petition of C. D. Jones and 29 other citizens of Hillsdale in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 177. By Mr. White: Petition of Herbert W. King and 288 other citizens of Cass county on the same subject.

The petition was referred to the Committee on Public Health.

No. 178. By Mr. Bradley: Petition of John Reynolds and 120 other citizens of Montcalm county on the same subject.

The petition was referred to the Committee on Public Health.

No. 179. By Mr. Watkins: Protest of Enoch Emerson and 21 other members of Oak Leaf Camp No. 3157, M. W. of A., of Spring Arbor, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 180. By Mr. Watkins: Protest of Earl C. Haskin and 26 other members of Reading Camp No. 920, M. W. of A., of Reading, on the same subject.

The protest was referred tot the Committee on Insurance.

No. 181. By Mr. Watkins: Protest of M. J. Stewart and 31 other members of the M. W. of A., of Jackson county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 182. By Mr. Fairbanks: Protest of M. H. Coburn and 45 other members of the M. W. of A., of Pentwater, on the same subject.

The protest was referred to the Committee on Insurance.

No. 183. By Mr. Ward: Protest of Marion M. Daniels and 95 other members of Owen Camp No. 3385, M. W. of A., of Big Rapids, on the same subject.

The protest was referred to the Committee on Insurance.

No. 184. By Mr. Moriarty: Protest of the members of Lake Superior Pioneer Camp No. 991, M. W. of A., of Marquette, on the same subject.

The protest was referred to the Committee on Insurance.

No. 185. By Mr. Taylor: Petition of F. P. Muhlenberg and 23 other citizens of Galesburg asking for an amendment to the village laws permitting compensation to village trustees.

The petition was referred to the Committee on Cities and Villages.

No. 186. By Mr. Bradley: Petition of Clarence L. Fries and 287 other citizens of Montcalm county asking that the fish laws be amended to permit the catching of fish in the waters of Montcalm county during the months of December, January, February and March with spears.

The petition was referred to the Committee on Fisheries.

REPORTS OF STANDING COMMITTEES.

By the Committee on Supplies and Expenses:

The Committee on Supplies and Expenses reports the following accounts:

Panacea Spring Water Co.....	\$18 75
Remington Typewriter Company	6 00
Crotty Bros.	8 88
Mich. State Telephone Co.....	37 10
Western Union Telegraph Company.....	5 95
Library Bureau	58 20
Richmond & Backus Co.	13 67
Cameron & Arbaugh	4 02
Jacob Stahl & Son.....	2 00
J. A. Bissinger	2 25
M. J. & B. M. Buck.....	119 00
A. H. Towle	75
Chas. M. Norton	95
Crystal Laundry Co.	5 10
E. V. Chilson, Postage	11 00
American Express Co.	14 05

With the recommendation that the accounts be allowed and orders drawn for the same.

HORACE T. BARNABY,
Chairman.

The report was accepted and adopted.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations reports

Senate bill No. 122 (file No. 105), entitled

A bill to establish the State civil service commission; to regulate the civil service of the State of Michigan; and making an appropriation therefor;

Without recommendation.

ERASTUS N. BATES,
Acting Chairman.

Mr. Mapes moved that the above entitled bill be made a special order for Tuesday, March 9, at 2:30 o'clock p. m.

The motion prevailed.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 110 (file No. 101), entitled

A bill to prohibit the practice of palmistry, clairvoyancy, astrology or fortune telling by cards or other devices for money or gain, and to provide a penalty for violation of the provisions of this act;

With the recommendation that the bill be referred to the Committee on Religious and Benevolent Societies.

J. D. M. MACKAY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was then referred to the Committee on Religious and Benevolent Societies.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 3, 1909.

To the President of the Senate:

Sir:—I am instructed by the House, respectfully to request the retransmittal to the House of the following bill:

Senate bill No. 39 (file No. 37), entitled

A bill to amend section 1 of Act No. 17 of the Public Acts of 1903, entitled "An act to amend the title and sections 1 and 29 of an act, entitled 'An act to establish, protect and enforce by lien the rights of mechanics and other persons furnishing labor or materials for building, altering, improving, repairing, erecting or ornamenting of buildings, machinery, wharves, and all other structures; and to repeal all acts contravening the provisions of this act,' being chapter 296 of the Compiled Laws of the State of Michigan of 1897," approved March 26, 1903.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

Mr. MacKay moved that the request of the House for the return of the above entitled bill be granted.

The motion prevailed.

INTRODUCTION OF BILLS.

Mr. Bradley introduced

Senate bill No. 145, entitled

A bill to amend section 1 of Act No. 66 of the Public Acts of 1905, entitled "An act for the protection of fish in the lakes and streams in the county of Montcalm, State of Michigan, and repeal all acts or parts of acts inconsistent with this act."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Fisheries.

Mr. Mapes introduced

Senate bill No. 146, entitled

A bill making an appropriation for the Michigan Forestry Commission.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Forestry and State Lands.

Mr. Collins introduced

Senate bill No. 147, entitled

A bill to provide for the creation of a department of labor and the appointment of a labor commissioner, to fix the powers and duties of such labor commissioner, to fix the compensation of such commissioner and his deputies, to define and prescribe the powers and duties of such commissioner, to make an appropriation for the maintenance of such department of labor and to prescribe penalties for violations of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Labor Interests.

Mr. Anhut introduced

Senate bill No. 148, entitled

A bill to promote the safety of employes and travelers upon street, suburban and electric railways by regulating the hours of service thereon.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Labor Interests.

Mr. Newton introduced

Senate bill No. 149, entitled

A bill to amend section 2 of Act No. 264 of the Public Acts of 1889, entitled "An act relative to disorderly persons and to repeal chapter 53 of the Compiled Laws of 1871, as amended by several acts amendatory thereof," approved July 5, 1889, as amended by Act No. 190 of the Public Acts of 1895, entitled "An act to amend section 2 of Act No. 264 of the Public Acts of 1889, entitled 'An act relative to disorderly persons and to repeal chapter 53 of the Compiled Laws of 1871, as amended by the several acts amendatory thereof,' approved July 5, 1889, the same being section 1997 of Howell's Annotated Statutes, and to add a new section thereto to stand as section 6," approved May 22, 1895, the same being section 5924 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Watkins introduced

Senate bill No. 150, entitled

A bill giving the assent of the Legislature of the State of Michigan to the grant of moneys from the United States by act of Congress, approved March 16, 1906, being an act to provide for an increased annual appropriation for agricultural experimental stations and regulating the expenditure thereof.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Agricultural Interests.

Mr. MacKay introduced

Senate bill No. 151, entitled

A bill to amend section 51 of chapter 14 of the Revised Statutes

of 1846, being compiler's section 2549 of the Compiled Laws of 1897, so as to provide for two judges of probate in certain cases.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Senators Kingman and Kline entered the Senate Chamber and took their seats.

SPECIAL ORDER.

2:30 o'clock p. m.

The President announced that the hour had arrived for the special order and laid before the Senate

Senate bill No. 34 (file No. 31), entitled

A bill relative to the nomination of party candidates for public office and delegates to political conventions; to regulate primary elections and to prescribe penalties for violations of its provisions.

Mr. Fox moved that the Senate resolve itself into the committee of the whole on the special order.

The motion prevailed.

The President called Mr. Bates to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee of the whole has had under consideration the above entitled bill,

Has made sundry amendments thereto and has directed its chairman to report the same back to the Senate, asking concurrence therein, but not having completed the consideration thereof, reports progress and asks leave to sit again on the bill at 7:30 o'clock p. m.

E. N. BATES,
Chairman.

The report was accepted.

The question being on concurring in the amendments made to the bill by the committee,

Mr. Anhut moved a division of the question and demanded that the vote be taken separately on the amendment which provides that cities having over 200,000 population shall have two primary days instead of one, as proposed for the rest of the State.

The motion prevailed.

The question being on concurring in the above named amendment made to the bill by the committee,

Mr. MacKay demanded the yeas and nays.

The Senate then did not concur, a majority of the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Krueger	Mr. Moriarty	Mr. Smith	
Bates	MacKay	Shields	Snell	
Collins	Mapes			10

NAYS.

Mr. Barnaby	Mr. Fox	Mr. Tuttle	Mr. Wetmore	
Bradley	Kingman	Ward	White	
Dickinson	Kline	Watkins	Whitney	
Foster	Newton	Weter		15

The question then being on concurring in the other amendments made to the bill by the committee,
The Senate concurred.

The question then being on the recommendation of the committee that the Senate be granted leave to sit again on the bill at 7:30 o'clock p. m.,
The Senate concurred.

Mr. Wetmore moved that the Senate take a recess until 7:30 o'clock p. m.

The motion prevailed, the time being 5:40 o'clock p. m.

AFTER RECESS.

7:30 o'clock p. m.

The Senate was called to order by the President.
A quorum of the Senate was present.

Senator Bolt entered the Senate Chamber and took his seat.

Mr. Dickinson moved that the Senate resolve itself into the committee of the whole on the special order for the further consideration of Senate bill No. 34 (file No. 31), entitled

A bill relative to the nomination of party candidates for public office and delegates to political conventions; to regulate primary elections and to prescribe penalties for violations of its provisions.

The motion prevailed.

The President called Mr. Bates to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee of the whole has had under consideration the above entitled bill,

Has made sundry amendments thereto and has directed its chairman to report the same back to the Senate, asking concurrence therein, but not having completed the consideration thereof, reports progress and asks leave to sit again on the bill at 9:30 o'clock a. m. tomorrow.

E. N. BATES,
Chairman.

The report was accepted.

The question being on concurring in the amendments made to the bill by the committee,

The Senate concurred.

The question then being on the recommendation of the committee that the Senate be granted leave to sit again on the bill at 9:30 o'clock a. m. tomorrow,

The Senate concurred.

Mr. Wetmore moved that when the Senate adjourns today, it stand adjourned until tomorrow at 9:30 o'clock a. m.

The motion prevailed.

Mr. Moriarty moved that the Senate resolve itself into

EXECUTIVE SESSION.

The motion prevailed, the time being 9:30 o'clock p. m.

The executive session closed, the time being 9:40 o'clock p. m.

The Secretary announced that the nominations to office from the Governor, read to the Senate today in open session, had been confirmed by the Senate in executive session.

Mr. MacKay moved that the Senate adjourn.

The motion prevailed, the time being 9:45 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 9:30 o'clock a. m.

ELBERT V. CHILSON,
Secretary of the Senate.

THIRTY-FIRST DAY.

Lansing, Thursday, March 4.

9:30 o'clock a. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Foster, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Moriarty, Newton, Shields, Taylor, Tuttle, Ward, Watkins, Wetmore, White—23.

The following Senators were absent with leave: Messrs. Aitkin, Fairbanks, Ming, Scott, Smith—5.

The following Senators were absent without leave: Messrs. Fowle, Snell, Weter, Whitney—4.

Mr. MacKay moved that leaves of absence be granted to the absentees from today's session.

The motion prevailed.

Senators Weter and Whitney entered the Senate Chamber and took their seats.

Mr. Dickinson moved that the Senate resolve itself into the committee of the whole on the

SPECIAL ORDER,

The same being the consideration of
Senate bill No. 34 (file No. 31), entitled

A bill relative to the nomination of party candidates for public office and delegates to political conventions; to regulate primary elections and to prescribe penalties for violations of its provisions.

The motion prevailed.

The President called Mr. Bates to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee of the whole has had under consideration the above entitled bill,

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking concurrence therein, and recommending its passage.

E. N. BATES,
Chairman.

The report was accepted.

The question being on concurring in the amendments made to the bill by the committee,

Mr. Kingman moved a division of the question and demanded that the vote be taken separately on the amendment made to section 6 of the bill by Senator Collins, providing for the use of enrollment slips,

Pending which motion

Mr. Moriarty moved that the Senate take a recess until 2 o'clock p. m.

The motion prevailed, the time being 11:50 o'clock a. m.

AFTER RECESS.

2 o'clock p. m.

The Senate was called to order by the President.
A quorum of the Senate was present.

Senator Fowle entered the Senate chamber and took his seat.

The question being on concurring in the amendment made to section 6 of the bill by Mr. Collins, providing for the use of enrollment slips,

The Senate did not concur.

The question then being on concurring in the other amendments made to the bill by the committee,

Mr. White moved a division of the question and demanded that the vote be taken separately on the amendment made to section 39 of the bill by Mr. Wetmore, relating to the nomination of United States Senators,

On which motion Mr. Tuttle demanded the yeas and nays.

The Senate then concurred, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut
Barnaby
Bates
Bolt
Dickinson

Mr. Fowle
Fox
Kline
Krueger

Mr. Mapes
Moriarty
Newton
Shields

Mr. Tuttle
Watkins
Weter
Wetmore

17

NAYS.

Mr. Bradley
Collins
Foster

Mr. Kingman
MacKay

Mr. Taylor
Ward

Mr. White
Whitney

9

The question then being on concurring in the other amendments made to the bill by the committee,

The Senate concurred.

The bill was placed on the order of Third Reading of Bills.

Mr. Wetmore moved that the rules be suspended and that the Senate take up the order of Third Reading of Bills.

The motion prevailed, two-thirds of all the Senators present voting therefor.

THIRD READING OF BILLS.

Senate bill No. 34 (file No. 31), entitled

A bill relative to the nomination of party candidates for public office and delegates to political conventions; to regulate primary elections and to prescribe penalties for violations of its provisions;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Fox moved to amend the bill by adding a new section thereto to be known as section 49, and to read as follows:

"Sec. 49. Every candidate for nomination under the terms of this act, shall, not less than ten days after the day of holding the primary election at which he is a candidate, file an itemized statement in writing, duly sworn to as to its correctness, with the officer with whom his declaration of candidacy or other nomination paper is filed, setting forth each sum of money and thing of value, or any consideration whatever, contributed, paid or promised by him, or any one for him, with his knowledge or acquiescence, for the purpose of securing or influencing, or in any way affecting, his nomination to said office; said statement to set forth the sums paid as personal expenses and stating fully the nature, kind and character of the expense for which the sums were expended separately, and the party or parties to whom the sums were paid and the purposes for which said payments were made; and in this statement all sums or other considerations promised and not paid shall be included. Such statement, when so filed, shall immediately be subject to the inspection and examination of any elector and shall

be and become a part of the public records. Any candidate for nomination for any office under the terms of this act who shall fail, neglect or refuse to file with the proper officer, the statement provided for in this section within the time provided therein, or who shall fail to fully set out and detail any and all sums of money or other thing of value or consideration expended, paid, contributed or promised, as in this section, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than twenty-five dollars and not more than five hundred dollars or be imprisoned in the county jail not less than ten days and not more than six months."

The question being on receiving the amendment,

The amendment was received.

The question being on the adoption of the amendment,

Mr. Newton demanded the yeas and nays.

The amendment was then adopted, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Bates	Mr. Fowle	Mr. Mapes	Mr. Watkins	
Bolt	Fox	Shields	White	
Bradley	Krueger	Tuttle	Whitney	
Foster	MacKay			14

NAYS.

Mr. Anhut	Mr. Dickinson	Mr. Moriarty	Mr. Ward	
Barnaby	Kingman	Newton	Weter	
Collins	Kline	Taylor	Wetmore	
				12

Mr. Fox moved that the remaining sections of the bill be renumbered to conform to the amendment adopted as above.

The motion prevailed.

The question being on the passage of the bill,

Mr. Mapes moved to amend the bill by inserting in line 5 of section 16 after the words "Lieutenant Governor" the words, "Secretary of State, State Treasurer, Auditor General, Commissioner of the State Land Office, Attorney General."

The question being on receiving the amendment, Mr. Mapes demanded the yeas and nays.

The amendment was then received, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Bradley	Mr. MacKay	Mr. Taylor	
Barnaby	Collins	Mapes	Watkins	
Bates	Dickinson	Shields	Weter	
Bolt	Fox			14

NAYS.

Mr. Foster	Mr. Kline	Mr. Newton	Mr. Wetmore	
Fowle	Krueger	Tuttle	White	
Kingman	Moriarty	Ward	Whitney	
				12

The question being on the adoption of the amendment.

Mr. Mapes demanded the yeas and nays.

Mr. Dickinson moved the previous question, which motion was seconded.

The question then being: "Shall the main question now be put,"

The same was ordered, a majority of the Senators present voting therefor.

The question being on the adoption of the amendment offered by Mr. Mapes.

The amendment was then not adopted, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Bolt	Mr. Mapes	Mr. Watkins	
Barnaby	Fox	Shields	Weter	
Bates	MacKay			10

NAYS.

Mr. Bradley	Mr. Fowle	Mr. Moriarty	Mr. Ward	
Collins	Kingman	Newton	Wetmore	
Dickinson	Kline	Taylor	White	
Foster	Krueger	Tuttle	Whitney	16

The question being on the passage of the bill,

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Foster	Mr. Krueger	Mr. Ward	
Barnaby	Fowle	Mapes	Watkins	
Bates	Fox	Newton	Weter	
Bradley	Kingman	Shields	Wetmore	
Collins	Kline	Tuttle	White	21
Dickinson				

NAYS.

Mr. Bolt	Mr. Moriarty	Mr. Taylor	Mr. Whitney	
MacKay				5

The title of the bill was agreed to.

Mr. Tuttle moved that the above entitled bill, as amended, be re-printed before being transmitted to the House of Representatives.

The motion prevailed.

Mr. Mapes moved that the Senate take up the regular order of business.

The motion prevailed.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that Senate bill No. 139 (file No. 125);

Has this day been received from the printer and is on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

PRESENTATION OF PETITIONS.

No. 187. By Mr. Whitney: Petition of George W. Wallis and 54 other members of the Saginaw fire department in favor of the passage of the firemen's pension act.

The petition was referred to the Committee on State Affairs.

No. 188. By Mr. Whitney: Petition of A. L. Adelman and 21 other members of the Chesaning fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 189. By Mr. Mapes: Petition of W. Spencer and 39 other members of the Grand Rapids fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 190. By Mr. Collins: Petition of Henry Reinhardt and 9 other members of the Bay City fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 191. By Mr. Collins: Petition of William Wilson and 6 other members of the Bay City fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 192. By Mr. Shields: Petition of Fred W. Butcher and 15 other members of the Fenton fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 193. By Mr. Shields: Petition of John J. Rose and 21 other members of the Flint fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 194. By Mr. Watkins: Petition of E. A. Moelock and 16 other members of the Hillsdale fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 195. By Mr. Watkins: Petition of J. C. Beard and 17 other members of the Jonesville fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 196. By Mr. Ward: Petition of R. E. Pettit and 16 other members of the Ithaca fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 197. By Mr. Ward: Petition of A. F. Crawford and 17 other members of the Breckenridge fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 198. By Mr. Ward: Petition of O. S. Zimmerman and 11 other members of the St. Louis fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 199. By Mr. Moriarty: Petition of William Hooper and 41 other members of the Republic fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 200. By Mr. Moriarty: Petition of Robert Tobin and 45 other members of the Ironwood fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 201. By Mr. Fowle: Petition of Charles Symonds and 16 other citizens of Spaulding township, Menominee county, in favor of the passage of the Giles optometry bill.

The petition was referred to the Committee on Public Health.

No. 202. By Mr. Kline: Petition of D. A. Loomis and 58 other citizens of Adrian on the same subject.

The petition was referred to the Committee on Public Health.

No. 203. By Mr. Dickinson: Petition of A. G. Beard and 18 other citizens of Kalamazoo in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 204. By Mr. Watkins: Petition of J. W. Shepard and 98 other citizens of Hillsdale on the same subject.

The petition was referred to the Committee on Public Health.

No. 205. By Mr. Watkins: Petition of Leroy Waterman and 14 other citizens of Hillsdale on the same subject.

The petition was referred to the Committee on Public Health.

No. 206. By Mr. Watkins: Petition of C. E. Singer and 22 other citizens of Hillsdale on the same subject.

The petition was referred to the Committee on Public Health.

No. 207. By Mr. Kingman: Resolutions of Marshall Camp No. 2850, M. W. of A., of Marshall, protesting against the passage of the minimum rate bill for fraternal insurance societies.

The resolutions were referred to the Committee on Insurance.

No. 208. By Mr. Kingman: Resolutions of Albion Camp No. 1929, M. W. of A., of Albion, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 209. By Mr. Kline: Protest of M. E. Lockwood and 45 other members of Lenawee Camp No. 5364, M. W. of A., of Tecumseh, on the same subject.

The protest was referred to the Committee on Insurance.

No. 210. By Mr. Taylor: Resolutions of Vicksburg Lodge, Mystic Workers of the World, of Vicksburg, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 211. By Mr. Taylor: Resolutions of Constantine Lodge, Mystic Workers of the World, of Constantine, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 212. By Mr. Kingman: Petition of Dr. J. H. Kellogg and 46 other citizens of Battle Creek in favor of the passage of a bill providing for the registration of nurses.

The petition was referred to the Committee on Public Health.

No. 213. By Mr. Kingman: Petition of H. C. Shafer and 56 other citizens of Battle Creek on the same subject.

The petition was referred to the Committee on Public Health.

No. 214. By Mr. Kingman: Resolutions of Branch county Pomona Grange protesting against the passage of the Ormsbee liquor bill.

The resolutions were referred to the Committee on Liquor Traffic.

No. 215. By Mr. Taylor: Petition of M. I. Nichols and 36 other citizens of Detroit in favor of the passage of the law regulating the employment of children.

The petition was referred to the Committee on Labor Interests.

No. 216. By Mr. Taylor: Petition of Mary Cooper Lute and 72 other citizens of Detroit on the same subject.

The petition was referred to the Committee on Labor Interests.

MOTIONS AND RESOLUTIONS.

Mr. Tuttle offered the following resolution:

Senate Resolution No. 62.

Resolved, That the Senate Committee on Normal College, consisting of Senators Tuttle, Kline and Kingman, also Senator Bradley, member of the Committee on Finance and Appropriations, be authorized to visit the Normal College at Ypsilanti.

Mr. Tuttle moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Krueger asked and obtained leave of absence for the Committee on State Public School, consisting of Senators Krueger, Dickinson and Bates, from the sessions of Monday and Tuesday.

Mr. Tuttle asked and obtained leave of absence for the Committee on Normal College, consisting of Senators Tuttle, Kline and Kingman, also for Senator Bradley, member of the Committee on Finance and Appropriations, after 4 o'clock p. m. today, also from the sessions of tomorrow and Monday.

Mr. MacKay asked and obtained leaves of absence for Senator Snell and himself from tomorrow's session.

Messrs. Anhut, Mapes, Newton, Ward, Weter and Wetmore asked and obtained leaves of absence for themselves from tomorrow's session.

Messrs. Collins, Kingman, Kline, Watkins, White and Whitney asked and obtained leaves of absence for themselves from the sessions of tomorrow and Monday.

Mr. Krueger asked and obtained leave of absence for himself from tomorrow's session.

Mr. Tuttle moved that when the Senate adjourns today, it stand adjourned until tomorrow at 9 o'clock a. m.

The motion prevailed.

Mr. Tuttle moved that when the Senate adjourns tomorrow it stand adjourned until Monday, March 8, at 9 o'clock p. m.

The motion prevailed.

REPORTS OF STANDING COMMITTEES.

By the Committee on State Prison at Jackson:

The Committee on State Prison at Jackson reports

Senate bill No. 75 (file No. 68), entitled

A bill to prohibit the bringing into prisons of all weapons, or other implements which may be used to injure any convict or person or in assisting any convict to escape from punishment, or the selling or furnishing of same to convicts; to prohibit the bringing into prisons of all spirituous or fermented liquors, drugs, medicines, poisons, opium, morphine or any other kind or character of narcotics, or the giving, selling or furnishing of spirituous or fermented liquors, drugs, medicines, poisons, opium, morphine or any other kind or character of narcotics to convicts or paroled prisoners and providing a penalty for the violation hereof;

With the recommendation that the bill pass.

J. D. M. MacKAY,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,

March 3, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House Resolution No. 63.

Whereas, There is no law or regulation whereby live stock delivered to railroad companies in this State for shipment and held by said railroad companies for indefinite periods before loading shall be fed or watered; and

Whereas, It is the custom for shippers to deliver to said railroad companies the night before live stock to be loaded the next morning; and

Whereas, In most cases there is no facility for watering said live stock in the enclosures or yards used by said railroads for the detention of live stock awaiting shipment; therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Railroad Commission is requested to conduct an investigation into the conditions surrounding such detention of live stock and, if in the judgment of said railroad commission said conditions are found to warrant, to make and issue a regulation that all railroad companies receiving such stock for shipment equip such enclosures or yards with water taps or pumps and provide for the watering by said railroad companies of such cattle or live stock before loading the same for shipment;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution,
The resolution was adopted.

The following message from the House was also received and read:

House of Representatives,
March 3, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 125 (file No. 42), entitled

A bill to temporarily suspend from sale all delinquent state tax and tax homestead lands where the title is already in the State by operation of law;

And to inform the Senate that the bill has passed the House and has been ordered to take immediate effect.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Forestry and State Lands.

The following message from the House was also received and read:

House of Representatives,
March 3, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 99 (file No. 44), entitled

A bill to amend section 21 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation, of circuit court stenographers in the State of Michigan," approved May 29, 1897, the same being section 383 of the Compiled Laws of the State of Michigan for the year 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 3, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 106 (file No. 48), entitled.

A bill to amend section 9 of Act No. 134 of the Public Acts of 1885, entitled "An act to regulate the practice of pharmacy in the State of Michigan," as amended by Act No. 279 of the Public Acts of 1907;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

INTRODUCTION OF BILLS.

Mr. MacKay introduced

Senate bill No. 152, entitled

A bill to direct the Board of State Auditors to investigate, examine and settle the claim of Thomas Allen, of Detroit, Michigan, against the State of Michigan, for false arrest and imprisonment in the State Prison at Jackson on the charge of assault with the intent to do great bodily harm, on which charge the said Thomas Allen was afterward declared innocent.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. MacKay introduced

Senate bill No. 153, entitled

A bill making appropriations for the Michigan State Agricultural Society for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Agricultural Interests.

Mr. MacKay introduced

Senate bill No. 154, entitled

A bill relating to the wife's right of dower when a decree of divorce is granted.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Weter introduced

Senate bill No. 155, entitled

A bill to amend section 10 of Act No. 157 of the Public Acts of 1851, as amended, entitled "An act to define the limits, jurisdiction and

powers of circuit courts," being compiler's section 309 of the Compiled Laws of 1897, as amended by Act No. 309 of the Public Acts of 1905, approved June 17, 1905.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Tuttle moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Collins to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 75 (file No. 68), entitled

A bill to prohibit the bringing into prisons of all weapons, or other implements which may be used to injure any convict or person or in assisting any convict to escape from punishment, or the selling or furnishing of same to convicts; to prohibit the bringing into prisons of all spirituous or fermented liquors, drugs, medicines, poisons, opium, morphine or any other kind or character of narcotics, or the giving, selling or furnishing of spirituous or fermented liquors, drugs, medicines, poisons, opium, morphine or any other kind or character of narcotics to convicts or paroled prisoners and providing a penalty for the violation hereof;

Also:

Senate bill No. 65 (file No. 60), entitled

A bill limiting the amount which may be raised in any county in any one year by the board of supervisors;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate bill No. 72 (file No. 91), entitled

A bill to amend section 8 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," and acts amendatory thereof, being section 4815 of the Compiled Laws of 1897, as amended by section 8 of Act No. 127 of the Public Acts of 1907;

Also:

Senate bill No. 52 (file No. 48), entitled

A bill to amend section 7 of chapter 12 of the Revised Statutes of 1846, as amended, the same being compiler's section 77 of the Compiled Laws of 1897;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

W. A. COLLINS,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first and second named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendments made to the third and fourth named bills in the report and the bills were placed on the order of third reading of bills.

THIRD READING OF BILLS.

Senate bill No. 65 (file No. 60), entitled

A bill limiting the amount which may be raised in any county in any one year by the board of supervisors;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Foster	Mr. MacKay	Mr. Tuttle	
Barnaby	Fowle	Mapes	Watkins	
Bates	Fox	Moriarty	Weter	
Bolt	Kingman	Newton	Wetmore	
Bradley	Kline	Shields	White	
Collins	Krueger	Taylor	Whitney	
Dickinson				25

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 75 (file No. 68), entitled

A bill to prohibit the bringing into prisons of all weapons, or other implements which may be used to injure any convict or person or in assisting any convict to escape from punishment, or the selling or furnishing of same to convicts; to prohibit the bringing into prisons of all spirituous or fermented liquors, drugs, medicines, poisons, opium, morphine or any other kind or character of narcotics, or the giving, selling or furnishing of spirituous or fermented liquors, drugs, medicines, poisons, opium, morphine or any other kind or character of narcotics to convicts or paroled prisoners and providing a penalty for the violation hereof;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Foster	Mr. MacKay	Mr. Tuttle
Barnaby	Fowle	Mapes	Watkins
Bates	Fox	Moriarty	Weter
Bolt	Kingman	Newton	Wetmore
Bradley	Kline	Shields	White
Collins	Krueger	Taylor	Whitney
Dickinson			

25

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 72 (file No. 91), entitled

A bill to amend section 8 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," and acts amendatory thereof, being section 4815 of the Compiled Laws of 1897, as amended by section 8 of Act No. 127 of the Public Acts of 1907;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Foster	Mr. MacKay	Mr. Tuttle
Barnaby	Fowle	Mapes	Watkins
Bates	Fox	Moriarty	Weter
Bolt	Kingman	Newton	Wetmore
Bradley	Kline	Shields	White
Collins	Krueger	Taylor	Whitney
Dickinson			

25

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 52 (file No. 48), entitled

A bill to amend section 7 of chapter 12 of the Revised Statutes of 1846, as amended, the same being compiler's section 77 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Foster	Mr. MacKay	Mr. Tuttle
Barnaby	Fowle	Mapes	Watkins
Bates	Fox	Moriarty	Weter
Bolt	Kingman	Newton	Wetmore
Bradley	Kline	Shields	White
Collins	Krueger	Taylor	Whitney
Dickinson			

25

NAYS.

0

The question being on agreeing to the title,

Mr. Kline moved to amend the title so as to read as follows:

"A bill to amend section 7 of chapter 12 of the Revised Statutes of 1846, as amended, the same being compiler's section 77 of chapter 11 of the Compiled Laws of 1897, as amended, entitled 'The State Treasurer.'"

The motion prevailed, and the title of the bill was so amended.

The title of the bill as amended was then agreed to.

Mr. Moriarty moved that the Senate adjourn.

The motion prevailed, the time being 3:45 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 9 o'clock a. m.

ELBERT V. CHILSON,
Secretary of the Senate.

THIRTY-SECOND DAY.

Lansing, Friday, March 5.

9 o'clock a. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Barnaby, Bates, Bolt, Dickinson, Foster, Fowle, Fox, Moriarty, Shields, Taylor—10.

The following Senators were absent with leave: Messrs. Aitkin, Anhut, Bradley, Collins, Fairbanks, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Newton, Scott, Smith, Snell, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—22.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the President declared the Senate adjourned until Monday, March 8, at 9 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

THIRTY-THIRD DAY.

Lansing, Monday, March 8.

9 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Bolt, Bradley, Fairbanks, Foster, Fowle, Fox, Mapes, Ming, Moriarty, Newton, Shields, Ward, Watkins, Wetmore—16.

The following Senators were absent with leave: Messrs. Bates, Collins, Dickinson, Kingman, Kline, Krueger, Tuttle, White, Whitney—9.

The following Senators were absent without leave: Messrs. Barnaby, MacKay, Scott, Smith, Snell, Taylor, Weter—7.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

THIRTY-FOURTH DAY.

Lansing, Tuesday, March 9.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Wetmore, White—29.

The following Senators were absent without leave: Messrs. Kline, Weter, Whitney—3.

Mr. MacKay moved that leaves of absence be granted to the absentees from today's session.

The motion prevailed.

Mr. Shields asked and obtained leave of absence for himself from tomorrow's session.

Mr. MacKay asked and obtained indefinite leave of absence for Mr. Weter because of a death in his family.

Mr. Barnaby asked and obtained leaves of absence for the absentees from the sessions of yesterday and Friday.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that
Senate bill No. 140 (file No. 126);
Senate bill No. 141 (file No. 127);
Senate bill No. 142 (file No. 128);
Senate bill No. 143 (file No. 129);
Senate bill No. 144 (file No. 130);
Senate bill No. 145 (file No. 131);
Senate bill No. 146 (file No. 132);

Senate bill No. 147 (file No. 133);
Senate bill No. 148 (file No. 134);
Senate bill No. 149 (file No. 135);
Senate bill No. 150 (file No. 136);
Senate bill No. 151 (file No. 137);
Senate bill No. 152 (file No. 138);
Senate bill No. 153 (file No. 139);
Senate bill No. 154 (file No. 140);
Senate bill No. 155 (file No. 141);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

The Secretary announced that the following bills had been printed and that they were presented to the Governor for approval March 9:

Senate bill No. 71 (file No. 63, enrolled No. 2);
Senate bill No. 63 (file No. 58, enrolled No. 3).

PRESENTATION OF PETITIONS.

No. 217. By Mr. Dickinson: Protest of the Mystic Workers of the World, of Grand Ledge, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 218. By Mr. Dickinson: Protest of the Mystic Workers of the World, of Potterville, on the same subject.

The protest was referred to the Committee on Insurance.

No. 219. By Mr. Dickinson: Protest of H. C. Cook and 89 other members of Hastings Camp, M. W. of A., of Hastings, on the same subject.

The protest was referred to the Committee on Insurance.

No. 220. By Mr. Watkins: Protest of H. C. Dunton and 19 other members of Napoleon Camp No. 8915, M. W. of A., of Napoleon, on the same subject.

The protest was referred to the Committee on Insurance.

No. 221. By Mr. Watkins: Protest of the Mystic Workers of the World, of Hillsdale, on the same subject.

The protest was referred to the Committee on Insurance.

No. 222. By Mr. Watkins: Protest of the Mystic Workers of the World, of Springport, on the same subject.

The protest was referred to the Committee on Insurance.

No. 223. By Mr. Watkins: Protest of the Mystic Workers of the World, of Reading, on the same subject.

The protest was referred to the Committee on Insurance.

No. 224. By Mr. Wetmore: Protest of the Mystic Workers of the World, of South Boardman, on the same subject.

The protest was referred to the Committee on Insurance.

No. 225. By Mr. Wetmore: Protest of the Mystic Workers of the World, of Manton, on the same subject.

The protest was referred to the Committee on Insurance.

No. 226. By Mr. Wetmore: Protest of the Mystic Workers of the World, of Cadillac, on the same subject.

The protest was referred to the Committee on Insurance.

No. 227. By Mr. Wetmore: Protest of Albert Brooks and 41 other members of Lucas Camp No. 8917, M. W. of A., of Lucas, on the same subject.

The protest was referred to the Committee on Insurance.

No. 228. By Mr. Taylor: Protest of the Mystic Workers of the World, of Three Rivers, on the same subject.

The protest was referred to the Committee on Insurance.

No. 229. By Mr. Taylor: Protest of the Mystic Workers of the World, of Marcellus, on the same subject.

The protest was referred to the Committee on Insurance.

No. 230. By Mr. Fairbanks: Protest of Manistee Lodge No. 754, Modern Brotherhood of America, of Manistee, on the same subject.

The protest was referred to the Committee on Insurance.

No. 231. By Mr. Fairbanks: Protest of E. V. Brooks and 48 other members of Hoxeyville Camp, M. W. of A., of Hoxeyville, on the same subject.

The protest was referred to the Committee on Insurance.

No. 232. By Mr. Moriarty: Protest of the Mystic Workers of the World, of Amasa, on the same subject.

The protest was referred to the Committee on Insurance.

No. 233. By Mr. Moriarty: Protest of the Mystic Workers of the World, of Crystal Falls, on the same subject.

The protest was referred to the Committee on Insurance.

No. 234. By Mr. Moriarty: Resolutions of Negaunee Camp No. 2297, M. W. of A., of Negaunee, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 235. By Mr. Moriarty: Protest of Charles McFarland and 96 other members of Iron River Camp No. 3273, M. W. of A., of Iron River, on the same subject.

The protest was referred to the Committee on Insurance.

No. 236. By Mr. Newton: Protest of the Mystic Workers of the World, of Manchester, on the same subject.

The protest was referred to the Committee on Insurance.

No. 237. By Mr. Newton: Protest of the Mystic Workers of the World, of Pontiac, on the same subject.

The protest was referred to the Committee on Insurance.

No. 238. By Mr. Bolt: Protest of the Mystic Workers of the World, of Fruitport, on the same subject.

The protest was referred to the Committee on Insurance.

No. 239. By Mr. Ward: Protest of Charles L. Booth and 20 other members of Camp Sumner No. 10149, M. W. of A., of Sumner, on the same subject.

The protest was referred to the Committee on Insurance.

No. 240. By Mr. Fowle: Protest of C. A. Clark and 44 other members of Arbutus Camp No. 3020, M. W. of A., of Gladstone, on the same subject.

The protest was referred to the Committee on Insurance.

No. 241. By Mr. Shields: Protest of E. E. Anderson and 51 other members of Davison Camp No. 8754, M. W. of A., of Davison, on the same subject.

The protest was referred to the Committee on Insurance.

No. 242. By Mr. Smith: Resolutions of Portage Camp No. 2596, M. W. of A., of Hancock, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 243. By Mr. Fowle: Protest of Dr. G. M. Livingston and 4 other physicians of Schoolcraft county against the passage of the Giles optometry bill.

The protest was referred to the Committee on Public Health.

No. 244. By Mr. Collins: Petition of Bert Johnson and 49 other citizens of Bay City in favor of the passage of the Giles optometry bill.

The petition was referred to the Committee on Public Health.

No. 245. By Mr. Collins: Petition of James P. Frost and 7 other members of the Bay City fire department in favor of the passage of the firemen's pension act.

The petition was referred to the Committee on State Affairs.

No. 246. By Mr. Collins: Petition of Albert Ellis and 8 other members of the Bay City fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 247. By Mr. Collins: Petition of John H. Whitlock and 7 other members of the Bay City fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 248. By Mr. Collins: Petition of Thomas K. Harding and 12 other members of the Bay City fire department on the same subject.
The petition was referred to the Committee on State Affairs.

No. 249. By Mr. Collins: Petition of T. E. Smith and 8 other members of the Bay City fire department on the same subject.
The petition was referred to the Committee on State Affairs.

No. 250. By Mr. Fowle: Petition of Edward Campbell and 22 other members of the Sault Ste. Marie fire department on the same subject.
The petition was referred to the Committee on State Affairs.

No. 251. By Mr. Fowle: Petition of Thomas E. McCullough and 15 other members of the Manistique fire department on the same subject.
The petition was referred to the Committee on State Affairs.

No. 252. By Mr. Kingman: Petition of W. P. Weeks and 35 other members of the Battle Creek fire department on the same subject.
The petition was referred to the Committee on State Affairs.

No. 253. By Mr. Dickinson: Petition of Scott H. Rorabeck and 25 other citizens of Eaton Rapids in favor of the passage of the anti-cigarette bill.
The petition was referred to the Committee on Public Health.

No. 254. By Mr. Dickinson: Petition of C. F. Field and 43 other citizens of Barry county on the same subject.
The petition was referred to the Committee on Public Health.

No. 255. By Mr. Wetmore: Petition of C. H. Wirth and 54 other citizens of Wexford county on the same subject.
The petition was referred to the Committee on Public Health.

No. 256. By Mr. Fairbanks: Resolutions of the Oceana Grangers', Patrons' and Teachers' Association on the same subject.
The resolutions were referred to the Committee on Public Health.

No. 257. By Mr. Fox: Petition of B. F. Johnson and 60 other citizens of Tuscola county urging the abolishment of the office of State Highway Commissioner and the repeal of the present county road law.
The petition was referred to the Committee on Roads and Bridges.

No. 258. By Mr. Watkins: Petition of John Cole and 57 other citizens of Jackson county asking for the repeal of Act No. 108 of the Public Acts of 1907, relative to the assessment of money taxes for highway purposes.
The petition was referred to the Committee on Roads and Bridges.

No. 259. By Mr. Dickinson: Protest of Charlotte shippers against the repeal of the carload rate law.
The protest was referred to the Committee on Railroads.

No. 260. By Mr. Dickinson: Petition of John C. Nichols and 11 other members of the Eaton county bar urging the passage of a bill to increase the salary of circuit judges to \$5,000 per year.

The petition was referred to the Committee on Judiciary.

No. 261. By Mr. Smith: Resolutions of the Board of Supervisors of Baraga county urging legislation to provide for a closed season for hunting deer in the Upper Peninsula.

The resolutions were referred to the Committee on Gaming Interests.

No. 262. By Mr. Ming: Petition of Frank A. Jones and 110 other citizens of Otsego county asking for certain amendments to the fish laws as applied to fishing in the AuSable river and its tributaries.

The petition was referred to the Committee on Fisheries.

No. 263. By Mr. Taylor: Petition of L. B. Place and 168 other citizens of Three Rivers favoring a law to make the tax on personal property a lien on the same from the time of confirming the assessment roll.

The petition was referred to the Committee on Taxation.

MOTIONS AND RESOLUTIONS.

Mr. Krueger offered the following resolution:

Senate resolution No. 63.

Resolved, That Senator Kingman be and is hereby authorized to draw mileage for the visit to the State Public School at Coldwater with the committee on that institution in place of Senator Krueger, the regularly appointed member of said committee.

The resolution was adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 24 (file No. 23), entitled

A bill to amend sections 10, 11 and 12 of chapter 171 of the Revised Statutes of 1846, entitled "Of county jails and the regulation thereof," such sections being sections Nos. 2659, 2660 and 2661 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged. The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 109 (file No. 99), entitled

A bill concerning notaries public who are stockholders, directors, officers and employes of banks or other corporations;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 8, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 138 (file No. 59), entitled

A bill concerning notaries public who are stockholders, directors, officers or employes of banks or other corporations;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 8, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 170 (file No. 62), entitled

A bill to amend section 18 of chapter 94 of the Revised Statutes of 1846, entitled "Jurisdiction and procedure of justices' courts in criminal cases," being section 1036 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 8, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 146 (file No. 65), entitled

A bill to amend the title and sections 2, 13 and 26 of Act No. 220 of the Public Acts of 1895, entitled "An act relating to warehousemen and warehouse receipts and to establish the lien of warehousemen in certain cases," the same being compiler's sections 5031, 5042 and 5055 of the Compiled Laws of 1897, and to add one new section following section 26 to be known as section 27;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 8, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 65 (file No. 64), entitled

A bill defining the powers and duties of local health officers and boards of health in the matter of the protection of the people of the State of Michigan from the disease known as tuberculosis;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,
March 8, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 160 (file No. 63), entitled

A bill to amend section 2 of Act No. 260 of the Public Acts of 1881, entitled "An act to provide for the protection of children," being section

5554 of the Compiled Laws of 1897, as last amended by Act No. 55 of the Public Acts of 1907, to prohibit minors and students from playing at cards or dice in cigar stores;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 4, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 84 (file No. 35), entitled

A bill to punish the making or use of false statements to obtain credit;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 5, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 63 (file No. 58), entitled

A bill to amend section 3 of chapter 109 of the Revised Statutes of the year 1846, entitled "Of the partition of lands owned by several persons," being section 11015 of the Compiled Laws of 1897;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
March 5, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 38 (file No. 65), entitled

A bill to repeal sections 17 and 18 of Act No. 154 of the Public Acts of 1903, entitled "An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 15 and 16 of Act No. 176 of the Public Acts of 1891, entitled 'An act for the organization of township school districts in the Upper Peninsula,' being compiler's sections 4823, 4824, 4825, 4826, 4827, 4828, 4829, 4830, 4831, 4833, 4834, 4837 and 4838 of the Compiled Laws of 1897," and to add one new section thereto to stand as section 17;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
March 4, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 21 (file No. 18), entitled

A bill to amend section 1 of Act No. 337 of the Public Acts of 1907, entitled "An act regulating the loaning of money when, as security for such loan, a lien is taken upon household furniture and effects, musical instruments, typewriters and sewing machines or any other personal chattels, or any assignment or transfer of any salary or part thereof, and prescribing penalties for the violation of this act;"

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
March 4, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 2 (file No. 2), entitled

A bill to amend sections 1 and 2 of Act No. 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being sections 4639 and 4640 of the Compiled Laws of 1897;

And to inform the Senate that the House has amended the same as follows:

1. By inserting in line 10 of section 1 after the word "office" the words "He shall be a graduate of a university, college or state normal school of good standing and shall have had at least five years experience as a teacher or superintendent of schools."

2. By striking out of line 22 of section 1 the words "and to require the publication of statements of receipts and expenditures of school districts under a uniform system."

3. By striking out of line 59 of section 1 the word "five" and inserting in lieu thereof the word "four."

4. By inserting in line 4 of section 2, after the word "instruction" the words "whose educational qualifications shall be the same as those of the superintendent of public instruction."

5. By striking out of line 9 of section 2 the words "five hundred."

6. By striking out of line 9 of section 2 the words "The said" and by striking out lines 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of section 2.

7. By striking out of lines 20 and 21 of section 2 the words "and supervisor of rural schools."

8. By striking out of line 24 of section 2 the words "or supervisor of rural schools."

9. By striking out the word "salaries" whenever it occurs and inserting in lieu thereof the word "salary;"

And that in the passage of the bill, as thus amended, the House has concurred, and has also concurred in ordering the bill to take immediate effect.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the amendments made to the bill by the House,

The Senate did not concur, a majority of the Senators-elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Bates
Dickinson
Fairbanks

Mr. Fox
Kingman
Shields

Mr. Taylor
Ward

Mr. Wetmore
White

10

NAYS.

Mr. Aitkin
Anhut
Barnaby
Bradley
Collins

Mr. Foster
Fowle
Krueger
MacKay
Mapes

Mr. Ming
Moriarty
Newton
Scott

Mr. Smith
Snell
Tuttle
Watkins

18

Mr. MacKay moved that the bill be laid on the table.
The motion prevailed.

INTRODUCTION OF BILLS.

Mr. Foster introduced
Senate bill No. 156, entitled

A bill to provide for quieting title to lands acquired under State tax proceedings.

The bill was read a first and second time by its title and referred to the Committee on Taxation..

Mr. Foster introduced
Senate bill No. 157, entitled

A bill authorizing the Commissioner of the State Land Office to sell sites to school districts, churches and cemetery associations from lands held by the State as tax homestead lands.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

Mr. Dickinson introduced
Senate bill No. 158, entitled

A bill to provide for the better enforcement of laws regulating, restricting or prohibiting the manufacture or sale of intoxicating liquors as a beverage or the keeping of any place for the manufacture or sale of such liquors by providing for the search for and seizure of any such liquors kept for illicit sale; providing that all packages containing intoxicating liquors shall be so labeled and that it shall be unlawful for common carriers to transport intoxicating liquors under false names; and providing that all sales known as c. o. d. shipments shall be held to be made at the place of destination; and providing that all clubs where intoxicating liquors are kept for the individual use of the members thereof shall be held to be a place where intoxicating liquors are furnished or given away, and defining the term "intoxicating liquors."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Liquor Traffic.

Mr. Dickinson introduced
Senate bill No. 159, entitled

A bill to amend sections 1, 16 and 25 of Act No. 183 of the Public Acts of 1899, being an act to amend Act No. 207 of the Public Acts of 1889, entitled "An act to prohibit the manufacture, sale, keeping for sale, giving away or furnishing vinous, malt, brewed, fermented, spirituous or intoxicating liquors or any mixed liquor or beverage any part of which is intoxicating, and to prohibit the keeping of any saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of such liquors or beverages, and to suspend the general laws of the State relative to the taxation and regulation of the manufacture and sale of such liquors in the several counties of this State under certain circumstances; to authorize the qualified electors

of the several counties of this State to express their will in regard to such prohibition by an election, and to authorize and empower the boards of supervisors of the several counties, after such election, if they shall determine the result to be in favor of such prohibition, to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of any such liquors, or the keeping of a saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of the same in their respective counties, and to provide for penalties and rights of action in case of its violation."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Liquor Traffic.

Mr. Dickinson introduced

Senate bill No. 160, entitled

A bill to amend Act No. 170 of the Public Acts of 1903, entitled "An act to amend section 15 of Act No. 183 of the Public Acts of 1899, being an act to amend Act No. 207 of the Public Acts of 1889, entitled 'An act to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of vinous, malt, brewed, fermented, spirituous or intoxicating liquors or any mixed liquor or beverage any part of which is intoxicating, and to prohibit the keeping of any saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of such liquors or beverages, and to suspend the general laws of the State relative to the taxation and regulation of the manufacture and sale of such liquors in the several counties of this State under certain circumstances; to authorize the qualified electors of the several counties of this State to express their will in regard to such prohibition by an election, and to authorize and empower the boards of supervisors of the several counties, after such election, if they shall determine the result to be in favor of such prohibition, to prohibit the manufacture, sale, keeping for sale, storing for sale, giving away or furnishing of the same in their respective counties, and to provide for penalties and rights of action in case of its violation.'"

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Liquor Traffic.

Mr. Fowle introduced

Senate bill No. 161, entitled

A bill to amend Act No. 35 of the Public Acts of 1907, entitled "An act to provide for the establishment of county schools of agriculture, manual training and domestic economy," by adding thereto a new section to be numbered section 10.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Fowle introduced

Senate bill No. 162, entitled

A bill to provide for the incorporation of cities and for the adoption, revision and amendments of city charters in this State.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Cities and Villages.

Mr. Tuttle introduced

Senate bill No. 163, entitled

A bill to permit judges of the circuit court to hold courts for each other.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Aitkin introduced

Senate bill No. 164, entitled

A bill to amend section 4 of Act No. 66 of the Public Acts of 1891, entitled "An act to set apart certain swamp lands in Wildfowl bay, in township 16 north, range 9 east, in the county of Huron in this State, for public shooting grounds," being section 1264 of the Compiled Laws of 1897.

The bill was read a first and second time by its title and referred to the Committee on Gaming Interests.

Mr. Fairbanks introduced

Senate bill No. 165, entitled

A bill making appropriations for the State Psychopathic Hospital at the University of Michigan at Ann Arbor, for building and special purposes for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on University.

SPECIAL ORDER.

2:30 o'clock p. m.

The President announced that the hour had arrived for the special order and laid before the Senate

Senate bill No. 122 (file No. 105), entitled

A bill to establish the State civil service commission; to regulate the civil service of the State of Michigan; and making an appropriation therefor.

Mr. Mapes moved that the Senate resolve itself into the committee of the whole on the special order.

The motion prevailed.

The President called Mr. Barnaby to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee of the whole has had under consideration the above entitled bill,

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking concurrence therein, and recommending that all after the enacting clause of the bill be stricken out.

HORACE T. BARNABY,
Chairman.

The report was accepted.

The question being on concurring in the amendments made to the above entitled bill by the committee.

The Senate concurred.

The question then being on concurring in the recommendation made by the committee that all after the enacting clause of the bill be stricken out,

Mr. Mapes demanded the yeas and nays.

The recommendation of the committee was then concurred in, a majority of the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Krueger	Mr. Taylor	
Barnaby	Foster	Ming	Ward	
Bates	Fowle	Moriarty	Wetmore	
Bradley	Kingman	Newton		15

NAYS.

Mr. Anhut	Mr. Fox	Mr. Shields	Mr. Tuttle	
Bolt	MacKay	Smith	Watkins	
Collins	Mapes	Snell	White	
Dickinson	Scott			14

Mr. Moriarty moved to reconsider the vote by which the Senate concurred in the recommendation made by the committee that all after the enacting clause of the bill be stricken out.

Mr. Wetmore moved to lay the motion made by Mr. Moriarty on the table.

On which motion Mr. Tuttle demanded the yeas and nays.

The motion made by Mr. Wetmore then did not prevail, a majority of all the Senators elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Krueger	Mr. Taylor	
Barnaby	Foster	Ming	Ward	
Bates	Fowle	Moriarty	Wetmore	
Bradley	Kingman	Newton		15

NAYS.

Mr. Anhut	Mr. Fox	Mr. Shields	Mr. Tuttle	
Bolt	MacKay	Smith	Watkins	
Collins	Mapes	Snell	White	
Dickinson	Scott			14

Mr. Mapes moved that the Senate adjourn.

The motion prevailed, the time being 5:30 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

THIRTY-FIFTH DAY.

Lansing, Wednesday, March 10.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. Jonathan A. Sprague, of Kalamazoo.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Wetmore, White, Whitney—30.

The following Senators were absent with leave: Messrs. Shields, Weter—2.

ANNOUNCEMENTS FROM THE SECRETARY.

The Secretary announced that the following bill had been printed and that it was presented to the Governor for approval March 10:

Senate bill No. 38 (file No. 65, enrolled No. 4).

PRESENTATION OF PETITIONS.

No. 264. By Mr. Anhut: Petition of Philip Breitmeyer and 21 other citizens of Detroit in favor of the passage of the Giles Optometry bill.

The petition was referred to the Committee on Public Health.

No. 265. By Mr. Ming: Petition of A. Simmons and 13 other citizens of Gaylord on the same subject.

The petition was referred to the Committee on Public Health.

No. 266. By Mr. MacKay: Petition of D. B. Bancroft and 40 other citizens of Detroit on the same subject.

The petition was referred to the Committee on Public Health.

No. 267. By Mr. Snell: Petition of Traub Bros. & Co. and 16 other citizens of Detroit on the same subject.

The petition was referred to the Committee on Public Health.

No. 268. By Mr. Bradley: Petition of H. S. Hixson and 13 other members of the Portland fire department in favor of the passage of the firemen's pension act.

The petition was referred to the Committee on State Affairs.

No. 269. By Mr. Smith: Petition of Gust Preuss and 16 other members of the Laurium fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 270. By Mr. Barnaby: Petition of C. M. Emerson and 38 other citizens of Grand Rapids in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 271. By Mr. Snell: Petition of C. T. Jack and 201 other citizens of Plymouth on the same subject.

The petition was referred to the Committee on Public Health.

No. 272. By Mr. Wetmore: Protest of C. G. Hall and 34 other citizens of Jennings against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 273. By Mr. Kingman: Protest of the Mystic Workers of the World, of Quincy, on the same subject.

The protest was referred to the Committee on Insurance.

No. 274. By Mr. White: Protest of the Mystic Workers of the World, of Dowagiac, on the same subject.

The protest was referred to the Committee on Insurance.

No. 275. By Mr. White: Protest of the Mystic Workers of the World, of Vandalia, on the same subject.

The protest was referred to the Committee on Insurance.

No. 276. By Mr. White: Protest of M. O. Collins and 16 other members of Naomi Camp M. W. of A., of Berrien county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 277. By Mr. Dickinson: Protest of the Mystic Workers of the World, of Charlotte, on the same subject.

The protest was referred to the Committee on Insurance.

No. 278. By Mr. Moriarty: Protest of the Mystic Workers of the World, of Iron River, on the same subject.

The protest was referred to the Committee on Insurance.

No. 279. By Mr. Whitney: Protest of O. F. Hulbert and 61 other members of the M. W. of A., of Chesaning, on the same subject.

The protest was referred to the Committee on Insurance.

No. 280. By Mr. Barnaby: Resolutions of Kent county Pomona Grange protesting against the abolishment of the State Highway Department and the repeal of the present county road law.

The resolutions were referred to the Committee on Roads and Bridges.

No. 281. By Mr. Watkins: Protest of W. F. Jerome and 5 other citizens of Hillsdale against extending the time for registration of non-graduate veterinary practitioners from January 1, 1908, to January 1, 1910.

The protest was referred to the Committee on Public Health.

No. 282. By Mr. Wetmore: Resolutions of Selma Grange No. 951, protesting against the passage of the Ormsbee local option bill.

The resolutions were referred to the Committee on Liquor Traffic.

No. 283. By Mr. Watkins: Protest of James B. Field and 77 other citizens of Jackson county against the passage of House bills Nos. 82 and 83 known as the Ormsbee bills.

The protest was referred to the Committee on Liquor Traffic.

No. 284. By Mr. Watkins: Protest of J. T. Hammond and 38 other citizens of Jackson on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 285. By Mr. Watkins: Protest of Charles R. Middaugh and 31 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 286. By Mr. Watkins: Protest of Herbert R. Willis and 43 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 287. By Mr. Watkins: Protest of J. E. Bartlett and 26 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 288. By Mr. Watkins: Protest of T. E. Barkworth and 22 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 289. By Mr. Collins: Petition of C. G. Olmsted and 130 other citizens of Midland county in favor of the passage of the Ormsbee bills.

Mr. Collins moved that the petition be spread at length in the Journal.

The motion prevailed.

The petition is as follows:

We, the undersigned, citizens and taxpayers in the city of Midland, in the county of Midland, believing that it is for the best interests of this county and of the State at large that the present local option law, so-called, be repealed and an act substituted therefor which will

establish a smaller unit for submission of the question of prohibition, giving home rule to each city and township, respectfully petition that you use your best efforts to procure the passage of House bills Nos. 82 and 83 and the enactment into laws of said bills, and your petitioners will ever pray, etc.

Mr. MacKay moved to take from the table
Senate bill No. 2 (file No. 2), entitled

A bill to amend sections 1 and 2 of Act No. 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being sections 4639 and 4640 of the Compiled Laws of 1897.

The motion prevailed.

Mr. MacKay moved to reconsider the vote by which the Senate yesterday refused to concur in the amendments made by the House to the above entitled bill.

The motion prevailed, a majority of the Senators present voting therefor.

The question then being on concurring in the amendments made to the bill by the House,

Mr. MacKay moved that the Senate concur.

The motion prevailed, a majority of the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Altkin	Mr. Dickinson	Mr. Mapes	Mr. Tuttle
Anhut	Fowle	Ming	Ward
Barnaby	Fox	Moriarty	Watkins
Bates	Kingman	Newton	Wetmore
Bolt	Kline	Smith	White
Bradley	Krueger	Snell	Whitney
Collins	MacKay	Taylor	

27

NAYS.

Mr. Foster	Mr. Scott	2
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The bill was referred to the Secretary for printing and presentation to the Governor.

MOTIONS AND RESOLUTIONS.

Mr. Watkins offered the following resolution:
Senate resolution No. 64.

Whereas, Through the wise generosity of Mr. Andrew Carnegie, there has been established and liberally endowed, a corporation known as the Carnegie Foundation for the Advancement of Teaching, the purpose of which is to encourage the adoption of teaching as a profession by providing retiring allowances for professors and administrative officers after long service, and for the widows of professors; and

Whereas, By a large addition to the original endowment, Mr. Carnegie has enabled the administrative officers and professors of State institutions of a certain grade to receive the benefits of retiring allowances and also the widows of professors, providing the Board of Control makes application for such admission, with the approval of the Legislature and Governor of the State; and

Whereas, The State Board of Agriculture, the governing board of the State Agricultural College, appreciating the advantage that participation in said fund will afford by enabling them to employ and retain the services of a much higher class of educators than would otherwise be possible, have applied for participation in said fund; therefore be it

Resolved by the Senate (the House of Representatives concurring), That the provision which Mr. Carnegie has made for promoting the cause of advanced education, is deeply appreciated and that the action of the State Board of Agriculture in making application for the admission of administrative officers and professors and the widows of professors of the Agricultural College to the benefits of said fund is hereby approved; and be it further

Resolved, That these resolutions, when adopted by the Legislature, be presented to the Governor, for his approval.

The resolutions were adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on Public Health:

The Committee on Public Health reports
Senate bill No. 140 (file No. 126), entitled

A bill to regulate the manufacture and sale of ice cream within the limits of the State of Michigan;

With the following amendments thereto:

1. By inserting in line 4 of section 1 after the word "contain" the words "other than."

2. By striking out of line 6 of section 8 the words "one inch" and inserting in lieu thereof the words "three fourths of an inch."

3. By inserting in line 9 of section 7 after the word "thereafter" the words "the money so collected by the Dairy and Food Commissioner shall be paid into the State treasury and be used to help defray the expenses of the office of the Dairy and Food Commissioner in addition to the annual appropriation;"

Recommend that the amendments be concurred in, and that when so amended the bill pass.

A. C. KINGMAN,
Chairman.

The report was accepted and adopted and the committee discharged. Mr. Kingman moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Agricultural Interests:
The Committee on Agricultural Interests reports
Senate bill No. 150 (file No. 136), entitled

A bill giving the assent of the Legislature of the State of Michigan to the grant of moneys from the United States by act of Congress, approved March 16, 1906, being an act to provide for an increased annual appropriation for agricultural experimental stations and regulating the expenditure thereof;

With the recommendation that the bill pass.

LAWRENCE W. SNELL,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Agricultural Interests:
The Committee on Agricultural Interests reports
Senate bill No. 153 (file No. 139), entitled

A bill making appropriations for the Michigan State Agricultural Society for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same;

With the recommendation that the bill be referred to the Committee on Finance and Appropriations.

LAWRENCE W. SNELL,
Chairman.

The report was accepted and the committee discharged.

Mr. Snell moved that the Senate concur in the recommendation of the committee that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed and the bill was so referred.

By the Committee on Cities and Villages:
The Committee on Cities and Villages reports
Senate bill No. 128 (file No. 114), entitled

A bill to amend section 2 of title 19 of an act, entitled "An act to revise the charter of the city of Grand Rapids, including therein also as part of such charter, the acts controlling the board of education and the board of library commissioners," approved June 6, 1905, the same being Act No. 593 of the Local Acts of 1905;

With the recommendation that the bill pass.

ARTHUR J. TUTTLE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Mapes moved that the rules be suspended, and that the bill be placed on its immediate passage.

The motion prevailed, two-thirds of all the Senators present voting therefor.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Taylor	
Anhut	Foster	Ming	Tuttle	
Barnaby	Fowle	Moriarty	Ward	
Bates	Fox	Newton	Watkins	
Bolt	Kingman	Scott	Wetmore	
Bradley	Kline	Smith	White	
Collins	Krueger	Snell	Whitney	
Dickinson	MacKay			30

NAYS.

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The title was agreed to.

Pending a motion that the bill be ordered to take immediate effect,

Mr. Mapes moved that the bill be laid on the table.

The motion prevailed.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 5, 1909.

To the President of the Senate:

Sir:—I am instructed by the House, respectfully to request the retransmittal to the House of the following bill:

Senate bill No. 21 (file No. 18), entitled

A bill to amend section 1 of Act No. 337 of the Public Acts of 1907, entitled "An act regulating the loaning of money when, as security for such loan, a lien is taken upon household furniture and effects, musical instruments, typewriters and sewing machines or any other personal chattels, or any assignment or transfer of any salary or part thereof, and prescribing penalties for the violation of this act."

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The question being on complying with the request of the House for the retransmittal of the above entitled bill,

Mr. MacKay moved that the request be granted.

The motion prevailed.

The following message from the House was also received and read:

House of Representatives,
March 9, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 62 (file No. 68), entitled

A bill to amend section 10 of chapter 13 of the Revised Statutes of 1846, entitled "Organization, powers and duties of counties," the same

being compiler's section 2448 of the Compiled Laws of 1897, relative to jurisdiction of counties bordering on Lake Michigan;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Counties and Townships.

The following message from the House was also received and read:

House of Representatives,
March 9, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 129 (file No. 73), entitled

A bill to promote the safe transportation of explosives and other dangerous articles and to provide penalties for its violation;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,
March 9, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 75 (file No. 77), entitled

A bill to provide for the issuance and sale of interchangeable and transferable mileage books by certain railroads in the State of Michigan;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Railroads.

The following message from the House was also received and read:

House of Representatives,
March 9, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 177 (file No. 67), entitled

A bill to provide for grading certain clerical positions in the several departments of the State government; to regulate the compensation of department clerks and to repeal all acts or parts of acts contravening the provisions of this act;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

INTRODUCTION OF BILLS.

Mr. Snell introduced

Senate bill No. 166, entitled

A bill to annex certain territory in the townships of Greenfield and Hamtramck, including Palmer park and the village of Highland Park, in the county of Wayne, to the city of Detroit.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Cities and Villages.

Mr. Foster introduced

Senate bill No. 167, entitled

A bill to amend chapter 32 of Act No. 215 of the Public Acts of 1895, entitled "An act to provide for incorporation of cities of the fourth class," by adding two new sections to be known as sections 16 and 17 to said chapter.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Cities and Villages.

Mr. Wetmore introduced

Senate bill No. 168, entitled

A bill to amend section 20 of Act No. 119 of the Public Acts of 1893, entitled "An act to define what shall constitute fraternal beneficiary societies, orders or associations, to provide for their incorporation and the regulation of their business and for the punishment for violation of the provisions of the act of their incorporation, and to repeal all existing acts inconsistent therewith."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Insurance.

Mr. Taylor introduced

Senate bill No. 169, entitled

A bill to prevent trespass upon huckleberry marshes and to provide a penalty therefor and to provide for the collection of damages growing out of such trespass.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Bolt introduced

Senate bill No. 170, entitled

A bill to create a State board of equalization, to prescribe its duties, to provide for furnishing it with certain statements and data and to repeal all acts or parts of acts in anywise contravening the provisions of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Fowle introduced

Senate bill No. 171, entitled

A bill to amend section 140 of Act No. 206 of the Public Acts of 1893, being "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien upon the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased, and to repeal Act No. 200 of the Public Acts of 1891 and all other acts and parts of acts in anywise contravening any of the provisions of this act," as added by Act No. 229 of the Public Acts of 1897, being section 3959 of the Compiled Laws of 1897, as amended by Act No. 204 of the Public Acts of 1899, Act No. 236 of the Public Acts of 1903 and Act No. 142 of the Public Acts of 1905.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. Mapes moved that the Senate take a recess until 3 o'clock p. m. The motion prevailed, the time being 2:45 o'clock p. m.

AFTER RECESS.

3 o'clock p. m.

The Senate was called to order by the President.
A quorum of the Senate was present.

Mr. Whitney moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Newton to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 76 (file No. 107), entitled

A bill to provide for the redemption and payment of outstanding bond No. 631 for three thousand dollars of the five million dollar loan of 1837, and to make appropriation therefor;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

Also:

Senate bill No. 140 (file No. 126), entitled

A bill to regulate the manufacture and sale of ice cream within the limits of the State of Michigan;

Also:

House bill No. 24 (file No. 23), entitled

A bill to amend sections 10, 11 and 12 of chapter 171 of the Revised Statutes of 1846, entitled "Of county jails and the regulation thereof." such sections being sections Nos. 2659, 2660 and 2661 of the Compiled Laws of 1897;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in, and recommend that, as amended, the bills pass.

Also:

Senate bill No. 109 (file No. 99), entitled

A bill concerning notaries public who are stockholders, directors, officers and employees of banks or other corporations;

And has directed its chairman to report the same back to the Senate, with the recommendation that the bill be re-referred to the Committee on Judiciary.

FRANK T. NEWTON,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first named bill in the report and the bill was placed on the order of third reading of bills.

The Senate concurred in the amendments made to the second and third named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the recommendation of the committee regarding the fourth named bill in the report and the bill was re-referred to the Committee on Judiciary.

THIRD READING OF BILLS.

Senate bill No. 69 (file No. 106), entitled

A bill to place under the control and management of the board of commissioners of Mackinac Island State Park, the site formerly occupied as a military post under the name of Fort Michilimackinac, in the village of Mackinaw City, in the county of Cheboygan and State of Michigan, heretofore conveyed to the State of Michigan by said village of Mackinaw City, under and by virtue of the provisions of Act No. 520 of the Local Acts of 1903, known as Wawatam Park, defining the power and authority of said Mackinac Island State Park Board therein, and to authorize it to make, publish and enforce rules and regulations for the care, order and preservation thereof;

Was read a third time and, pending the taking of the vote on the passage thereof,

Mr. Ming moved that the bill be laid on the table.

The motion prevailed.

House bill No. 24 (file No. 23), entitled

A bill to amend sections 10, 11 and 12 of chapter 171 of the Revised Statutes of 1846, entitled "Of county jails and the regulation thereof," such sections being sections Nos. 2659, 2660 and 2661 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Barnaby
Bates
Bolt
Bradley

Mr. Collins
Dickinson
Foster
Fowle
Kingman

Mr. Kline
Mapes
Moriarty
Newton
Scott

Mr. Smith
Tuttle
White
Whitney

NAYS.

Mr. Anhut
Krueger

Mr. MacKay

Mr. Ming

Mr. Snell

5

The title of the bill was agreed to.

Senate bill No. 76 (file No. 107), entitled

A bill to provide for the redemption and payment of outstanding bond No. 631 for three thousand dollars of the five million dollar loan of 1837, and to make appropriation therefor;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Anhut
Barnaby
Bates
Bolt
Bradley
CollinsMr. Dickinson
Fairbanks
Foster
Fowle
Fox
Kingman
KlineMr. Krueger
Mapes
Ming
Morlarty
Newton
Scott
SmithMr. Snell
Taylor
Tuttle
Ward
Wetmore
White
Whitney

28

NAYS.

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The title of the bill was agreed to.

Mr. Foster moved that the Senate take a recess for ten minutes and that Hon. Alexander Forsyth, of Arenac county, a member of the Senate of 1897-8, be invited to address the Senate, and that a special committee be appointed to escort Mr. Forsyth to the chair.

The motion prevailed, the time being 4:10 o'clock p. m.

The President appointed as such committee, Messrs. Foster, Smith and Snell.

Mr. Forsyth then addressed the Senate.

AFTER RECESS.

4:20 o'clock p. m.

The Senate was called to order by the President.

A quorum of the Senate was present.

By unanimous consent the Senate returned to the order of

MOTIONS AND RESOLUTIONS.

Mr. Kline offered the following resolution:

Senate resolution No. 65.

Resolved, That Senator Bradley, member of the Committee on Finance and Appropriations, be and he is hereby authorized to visit the State Asylum when the regularly appointed committee from the Senate visits that institution.

Mr. Kline moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Bradley offered the following resolution:

Senate resolution No. 66.

Resolved, That Senator Fairbanks, member of the Committee on Finance and Appropriations, be and he is hereby authorized to visit the Normal College at Kalamazoo when the regularly appointed committee from the Senate visits that institution.

Mr. Bradley moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Anhut moved that the Senate adjourn.

The motion prevailed, the time being 4:40 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

THIRTY-SIXTH DAY.

Lansing, Thursday, March 11.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. W. A. Minty, of Lansing. The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Wetmore, White, Whitney—31.

The following Senator was absent with leave: Mr. Weter—1.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
March 11, 1909.

To the President of the Senate:

Sir—I have this day approved, signed and deposited in the office of the Secretary of State

Senate bill No. 71 (Enrolled No. 2), being

An act to amend section 15 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May 29, 1897, being section 377 of the Compiled Laws of 1897, as amended by Act No. 75 of the Public Acts of 1903.

Also:

Senate bill No. 63 (Enrolled No. 3), being

An act to amend section 3 of chapter 109 of the Revised Statutes of 1846, entitled "Of the partition of lands owned by several persons," being section 11015 of the Compiled Laws of 1897.

Also:

Senate bill No. 38 (Enrolled No. 4), being

An act to repeal sections 17 and 18 of Act No. 154 of the Public Acts of 1903, entitled "An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 15 and 16 of Act No. 176 of the Public Acts of 1891, entitled 'An act

for the organization of township school districts in the Upper Peninsula, being compiler's sections 4823, 4824, 4825, 4826, 4827, 4828, 4829, 4830, 4831, 4833, 4834, 4837 and 4838 of the Compiled Laws of 1897," and to add one new section thereto to stand as section 17.

Respectfully,

FRED M. WARNER,
Governor.

PRESENTATION OF PETITIONS.

No. 290. By Mr. Scott: Petition of Wright Kay & Co. and 45 other business men of Detroit in favor of the passage of the Giles optometry bill.

The petition was referred to the Committee on Public Health.

No. 291. By Mr. Krueger: Petition of Charles W. Warren & Co. and 23 other business men of Detroit on the same subject.

The petition was referred to the Committee on Public Health.

No. 292. By Mr. Smith: Protest of the members of Maple Leaf Camp No. 8127, M. W. of A., of Covington, against the passage of the proposed minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 293. By Mr. Smith: Resolutions of the members of Maple Camp No. 2509, M. W. of A., of Houghton, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 294. By Mr. Smith: Resolutions of the members of Tamarack Camp No. 2443, M. W. of A., of Hubbell, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 295. By Mr. Fairbanks: Resolutions of the members of Michigan Camp No. 7379, M. W. of A., of Copemish, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 296. By Mr. Mapes: Protest of the Mystic Workers of the World, of Grand Rapids, on the same subject.

The protest was referred to the Committee on Insurance.

No. 297. By Mr. Kline: Protest of M. W. Redfield and 84 other members of the M. W. of A., of Adrian, on the same subject.

The protest was referred to the Committee on Insurance.

No. 298. By Mr. Dickinson: Protest of the Mystic Workers of the World, of Bellevue, on the same subject.

The protest was referred to the Committee on Insurance.

No. 299. By Mr. Bates: Protest of Pliny A. Hubbard and 44 other members of Vineyard Camp No. 4413, of Lawton, on the same subject. The protest was referred to the Committee on Insurance.

No. 300. By Mr. Scott: Resolutions of New Boston Camp No. 771, K. O. T. M. M., of New Boston, on the same subject. The resolutions were referred to the Committee on Insurance.

No. 301. By Mr. Dickinson: Petition of C. T. Warner and 93 other citizens of St. Johns in favor of the passage of the anti-cigarette bill. The petition was referred to the Committee on Public Health.

No. 302. By Mr. Newton: Petition of John Harper and 54 other citizens of Ypsilanti on the same subject. The petition was referred to the Committee on Public Health.

No. 303. By Mr. Aitkin: Petition of Rudolph Papst and 56 other citizens of Lexington urging legislation to prohibit the use of ferrets in hunting rabbits.

The petition was referred to the Committee on Gaming Interests.

No. 304. By Mr. Foster: Protest of John W. Dunn and 2 other residents of Alger against the repeal of the carload rate law. The protest was referred to the Committee on Railroads.

No. 305. By Mr. Bolt: Petition of the Muskegon Chamber of Commerce and 27 manufacturing concerns urging the repeal of the carload rate law.

The petition was referred to the Committee on Railroads.

No. 306. By Mr. Mapes: Resolutions of Kent county Pomona Grange in favor of the retention of the State highway department, and an annual license fee of \$10.00 on automobiles.

The resolutions were referred to the Committee on Roads and Bridges.

No. 307. By Mr. Tuttle: Resolutions of the Staatsverband Michigan favoring forestry legislation.

Mr. Tuttle moved that the resolutions be read and spread at length in the Journal.

The motion prevailed.

The following are the resolutions:

Whereas, The losses to the State of Michigan by forest fires in the past are beyond calculation; and the loss of life, property and timber in the year 1908, is staggering; and

Whereas, The Legislature of 1907 passed a bill directing the Governor to appoint a special commission of nine men to investigate and report their findings in the matter to the Legislature of 1909, together with a comprehensive plan for the protection, improvement, utilization

and settlement of delinquent State tax lands now owned and hereafter acquired; to deal with the fire problem, increase of water supply and defining the limits of forest reserves, etc.; and

Whereas, Said commission made and submitted its report to the Governor and Legislature now in session, showing said losses to be directly traceable to inadequate fire laws and the injudicious handling of our State tax lands; therefore

We recommend four laws, to wit:

1st. A law for the utilization of the tax lands for forest reserves, for private timber reserves and for settlement.

2nd. A forest fire law.

3rd. A law concentrating the care and management of the public domain, forests, forest fires, trespass, fish and game laws, in the hands of a non-partisan commission.

4th. A law for the withdrawal of the State tax and homestead lands while the report and recommendations of said commission are under consideration by the Legislature; now therefore, be it

Resolved, That we, the Federation of German Societies of the State of Michigan, fully endorse the findings and recommendations of said commission as set forth in its report, which is hereby made a part of these resolutions, especially that part thereof and against the interests of the people of this commonwealth, wherefore we urge upon the Legislature the prompt consideration and passage of the laws recommended; and be it further

Resolved, That the secretary of this federation transmit copies of these resolutions to Governor Warner, to the Speaker of the House and the President of the Senate.

The resolutions were referred to the Committee on Forestry and State Lands.

MOTIONS AND RESOLUTIONS.

Mr. Kingman offered the following resolution:

Senate resolution No. 67.

Resolved, That the use of the Senate Chamber be tendered to the Committees on Public Health of the Senate and House of Representatives for a public hearing on the anti-cigarette bill on Tuesday evening, March 23d.

The resolution was adopted.

Mr. Bradley offered the following resolution:

Senate resolution No. 68.

Resolved, That the use of the Senate Chamber be granted to the Committee on Labor Interests on Wednesday, March 17, at 10 o'clock a. m., for a public hearing on the bills before that committee.

The resolution was adopted.

Mr. Dickinson offered the following resolution:

Senate resolution No. 69.

Resolved, That the use of the Senate Chamber be tendered to the

prosecuting attorneys of the State for a conference during the forenoon of Wednesday, March 24.

The resolution was adopted.

Mr. Wetmore moved that when the Senate adjourns today, it stand adjourned until tomorrow at 9 o'clock a. m.

The motion prevailed.

Mr. Wetmore moved that when the Senate adjourns tomorrow it stand adjourned until Monday, March 15, at 9 o'clock p. m.

The motion prevailed.

Messrs. Anhut, Fairbanks, MacKay, Ming, Taylor and Wetmore asked and obtained leaves of absence for themselves from tomorrow's session.

Messrs. Kline, Kingman, Scott, Snell and White asked and obtained leaves of absence for themselves from the sessions of tomorrow and Monday.

Messrs. Fowle and Whitney asked and obtained leaves of absence for themselves from Monday's session.

Mr. White asked and obtained leave of absence for Mr. Mapes from tomorrow's session.

Mr. Mapes moved to reconsider the vote by which the Senate, on Tuesday, March 9, concurred in the recommendation made by the committee of the whole that all after the enacting clause be stricken out of Senate bill No. 122 (file No. 105), entitled

A bill to establish the State civil service commission; to regulate the civil service of the State of Michigan; and making an appropriation therefor;

On which motion he demanded the yeas and nays.

Mr. Mapes also moved the previous question, which motion was seconded.

The question then being, "Shall the main question now be put,"

The same was ordered, a majority of all the Senators present voting therefor.

The question being on the motion made by Mr. Mapes to reconsider the vote by which the Senate concurred in the recommendation of the committee of the whole that all after the enacting clause of the bill be stricken out,

The motion did not prevail, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. MacKay	Mr. Smith	Mr. Watkins
Bolt	Mapes	Snell	White
Collins	Moriarty	Tuttle	Whitney
Fox	Shields		

14

NAYS.

Mr. Aitkin	Mr. Fairbanks	Mr. Kline	Mr. Scott
Barnaby	Foster	Krueger	Taylor
Bates	Fowle	Ming	Ward
Bradley	Kingman	Newton	Wetmore
Dickinson			

17

Mr. Mapes moved to take from the table
Senate bill No. 128 (file No. 114), entitled

A bill to amend section 2 of title 19 of an act, entitled "An act to revise the charter of the city of Grand Rapids, including therein also as part of such charter, the acts controlling the board of education and the board of library commissioners," approved June 6, 1905, the same being Act No. 593 of the Local Acts of 1905.

The motion prevailed.

Mr. Mapes moved to reconsider the vote by which the Senate yesterday passed the above entitled bill.

The motion prevailed.

The question being on the passage of the bill,

Mr. Mapes moved to amend the bill as follows:

By striking out the word and figures "Sec. 2-1/2" and to re-number the lines from 105 to the end of the bill.

The amendment was adopted.

The question being on the passage of the bill,

The bill was then passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Taylor
Anhut	Fowle	Moriarty	Tuttle
Barnaby	Fox	Newton	Ward
Bates	Kingman	Scott	Watkins

Mr. Bolt
Bradley
Dickinson
Fairbanks

Mr. Kline
Krueger
MacKay
Mapes

Mr. Shields
Smith
Snell

Mr. Wetmore
White
Whitney

30

NAYS.

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The title of the bill was agreed to.

Mr. Mapes moved that the bill be ordered to take immediate effect for the reason that the bill comes under the provisions of section 21 of Article V of the Constitution of the State of Michigan, which provides "that the Legislature may give immediate effect to acts immediately necessary for the preservation of the public peace, health or safety."

The motion prevailed and the bill was ordered to take immediate effect, two-thirds of all the Senators-elect voting therefor.

REPORTS OF STANDING COMMITTEES.

By the Committee on Fisheries:

The Committee on Fisheries reports

House bill No. 17 (file No. 7), entitled

A bill to amend section 14 of Act No. 111 of the Public Acts of 1889, entitled "An act to protect fish and to regulate fishing in the waters of this State, by providing closed seasons for certain kinds of fish, by prohibiting the catching of fish in certain specified ways, by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes, by prohibiting the catching and killing, in the lakes, rivers and streams of this State, of more than a certain number of certain specified kinds of fish in any one day, by prohibiting the taking away and having possession of more than a certain number of fish at any point away therefrom, by prohibiting the obstruction of the free passage of fish, and by prohibiting the sale of certain kinds of fish, to protect persons engaged in fish culture, and to repeal inconsistent acts" being compiler's section 5874 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

FRED R. MING,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Fisheries:

The Committee on Fisheries reports

House bill No. 3 (file No. 5), entitled

A bill to amend section 1 of Act No. 111 of the Public Acts of 1889, entitled "An act to protect fish and to regulate fishing in the waters of this State by providing closed seasons for certain kinds of fish, by prohibiting the catching of fish in certain specified ways, by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes,

by prohibiting the catching and killing, in the lakes, rivers and streams of this State, of more than a certain number of certain specified kinds of fish in any one day, by prohibiting the taking away and having possession of more than a certain number of such fish at any point away therefrom, by prohibiting the obstruction of the free passage of fish and by prohibiting the sale of certain kinds of fish, to protect persons engaged in fish culture and to repeal inconsistent acts," as amended, being section 5861 of the Compiled Laws of 1897;

With the following amendment thereto:

By striking out of line 4 of section 1, the words "first day of September" and inserting in lieu thereof the words "fifteenth day of September."

Recommend that the amendment be concurred in, and that when so amended the bill pass.

FRED R. MING,
Chairman.

The report was accepted and adopted and the committee discharged. Mr. Ming moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 10, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 202 (file No. 79), entitled

A bill to secure to the minority of members in partnership associations organized under the provisions of Act No. 191 of the Public Acts of 1877, and acts amendatory thereto, the same being compiler's chapter 160 of the Compiled Laws of 1897, the power of electing a representative membership in the boards of managers of such partnership associations;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 10, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 55 (file No. 80), entitled

A bill to amend section 2 of Act No. 232 of the Public Acts of 1899, entitled "An act to amend sections 1, 2 and 3 of Act 180 of the Public Acts of 1897, entitled 'An act to provide for the protection of the reputation and good name of certain persons,' the same being sections 8612, 8613 and 8614 of the Compiled Laws of 1897;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 10, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 69 (file No. 78), entitled

A bill to prohibit the unauthorized taking or using of automobiles or other motor vehicles by drivers or caretakers thereof, or by any other person or persons, without intent to steal the same, and to provide a penalty therefor;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

INTRODUCTION OF BILLS.

Mr. Whitney introduced

Senate bill No. 172, entitled

A bill to repeal an act, entitled "An act to provide for the incorporation of mutual provident associations, of miners, trammers, timbermen, landers, engineers, blacksmiths, carpenters and all other laborers in

and about the iron, gold, silver, lead, copper and coal mines," the same being Act No. 104 of the Public Acts of 1891.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Insurance.

Mr. Whitney introduced

Senate bill No. 173, entitled

A bill to repeal an act, entitled "An act to incorporate mutual benefit societies, membership in which is confined to a single city, village or township," except as to existing corporations, the same being Act No. 196 of the Public Acts of 1891.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Insurance.

Mr. Whitney introduced

Senate bill No. 174, entitled

A bill to repeal Act No. 275 of the Public Acts of 1889, entitled "An act to provide for the incorporation of mutual provident associations of commercial travelers, agents, managers, salesmen, secretaries, cashiers, tellers, bookkeepers, stenographers, correspondents, typewriters and persons engaged in other clerical work," except as to existing corporations.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Insurance.

Mr. Whitney introduced

Senate bill No. 175, entitled

A bill to repeal an act, entitled "An act to provide for the incorporation of companies or associations having for their objects the insurance of bicycles and to define their powers and duties," the same being Act No. 157 of the Public Acts of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Insurance.

Mr. Fairbanks introduced

Senate bill No. 176, entitled

A bill to amend section 28 of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon and for the collection of taxes heretofore and hereafter levied; making such taxes a lien upon the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes and for the inspection and disposition of lands bid off to the state and not redeemed or purchased, and to repeal Act No. 200 of the Public Acts of 1891 and all other acts and parts of acts in anywise contravening any of the provisions of this act," being compiler's section 3851 of the Compiled Laws of 1897, as amended by Act No. 129 of the Public Acts of 1901.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. Taylor introduced

Senate bill No. 177, entitled

A bill to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems and providing penalties for the violation thereof.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Taylor introduced

Senate bill No. 178, entitled

A bill to provide for suits in equity, to quiet the title to real estate, and for determining the validity, nature or extent of incumbrances upon or uncertainties in or to the title to real estate by possible or doubtful conditions, restrictions, reservations, stipulations or agreements in any deed, will, conveyance or any other writing of record, whether void upon its face or not, and to include as defendants therein the unknown grantees, heirs or devisees of claimants and the stockholders and creditors of defunct corporations and partnership associations.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Fox moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Krueger to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 150 (file No. 136), entitled

A bill giving the assent of the Legislature of the State of Michigan to the grant of moneys from the United States by act of Congress, approved March 16, 1906, being an act to provide for an increased annual appropriation for agricultural experimental stations and regulating the expenditure thereof;

Also:

House bill No. 17 (file No. 7), entitled

A bill to amend section 14 of Act No. 111 of the Public Acts of 1889, entitled "An act to protect fish and to regulate fishing in the waters of this State, by providing closed seasons for certain kinds of fish, by prohibiting the catching of fish in certain specified ways, by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes, by prohibiting the catching and killing, in the lakes, rivers and streams of this State, of more than a certain number of certain specified kinds of fish in any one day, by pro-

hibiting the taking away and having possession of more than a certain number of fish at any point away therefrom, by prohibiting the obstruction of the free passage of fish, and by prohibiting the sale of certain kinds of fish, to protect persons engaged in fish culture, and to repeal inconsistent acts," being compiler's section 5874 of the Compiled Laws of 1897;

Also:

House bill No. 3 (file No. 5), entitled

A bill to amend section 1 of Act No. 111 of the Public Acts of 1889, entitled "An act to protect fish and to regulate fishing in the waters of this State by providing closed seasons for certain kinds of fish, by prohibiting the catching of fish in certain specified ways, by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes, by prohibiting the catching and killing, in the lakes, rivers and streams of this State, of more than a certain number of certain specified kinds of fish in any one day, by prohibiting the taking away and having possession of more than a certain number of such fish at any point away therefrom, by prohibiting the obstruction of the free passage of fish and by prohibiting the sale of certain kinds of fish, to protect persons engaged in fish culture and to repeal inconsistent acts," as amended, being section 5861 of the Compiled Laws of 1897;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate bill No. 126 (file No. 112), entitled

A bill to provide for grading certain clerical positions in the several departments of the State government; to regulate the compensation of department clerks and to repeal all acts or parts of acts contravening the provisions of this act;

And has directed its chairman to report the same back to the Senate, with the recommendation that the bill be re-referred to the Committee on State Affairs.

G. A. KRUEGER,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first, second and third named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the recommendation of the committee regarding the fourth named bill in the report and the bill was re-referred to the Committee on State Affairs.

THIRD READING OF BILLS.

Senate bill No. 150 (file No. 136), entitled

A bill giving the assent of the Legislature of the State of Michigan to the grant of moneys from the United States by act of Congress, approved March 16, 1906, being an act to provide for an increased an-

nual appropriation for agricultural experimental stations and regulating the expenditure thereof;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. MacKay	Mr. Snell
Anhut	Foster	Mapes	Taylor
Barnaby	Fowle	Ming	Tuttle
Bates	Fox	Moriarty	Ward
Bolt	Kingman	Newton	Wetmore
Bradley	Kline	Shields	White
Collins	Krueger	Smith	Whitney

28

NAYS.

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The title of the bill was agreed to.

House bill No. 17 (file No. 7), entitled

A bill to amend section 14 of Act No. 111 of the Public Acts of 1889, entitled "An act to protect fish and to regulate fishing in the waters of this State, by providing closed seasons for certain kinds of fish, by prohibiting the catching of fish in certain specified ways, by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes, by prohibiting the catching and killing, in the lakes, rivers and streams of this State, of more than a certain number of certain specified kinds of fish in any one day, by prohibiting the taking away and having possession of more than a certain number of fish at any point away therefrom, by prohibiting the obstruction of the free passage of fish, and by prohibiting the sale of certain kinds of fish, to protect persons engaged in fish culture, and to repeal inconsistent acts." being compiler's section 5874 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. MacKay	Mr. Taylor
Anhut	Foster	Ming	Tuttle
Barnaby	Fowle	Moriarty	Ward
Bates	Fox	Newton	Wetmore
Bolt	Kingman	Shields	White
Bradley	Kline	Smith	Whitney
Collins	Krueger	Snell	

27

NAYS.

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The title of the bill was agreed to.

House bill No. 3 (file No. 5), entitled

A bill to amend section 1 of Act No. 111 of the Public Acts of 1889, entitled "An act to protect fish and to regulate fishing in the waters of this State by providing closed seasons for certain kinds of fish, by prohibiting the catching of fish in certain specified ways, by prohibiting the

catching of fish of certain sizes and in certain waters and for certain purposes, by prohibiting the catching and killing, in the lakes, rivers and streams of this State, of more than a certain number of certain specified kinds of fish in any one day, by prohibiting the taking away and having possession of more than a certain number of such fish at any point away therefrom, by prohibiting the obstruction of the free passage of fish and by prohibiting the sale of certain kinds of fish, to protect persons engaged in fish culture and to repeal inconsistent acts," as amended, being section No. 5861 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. MacKay	Mr. Taylor
Anhut	Foster	Ming	Tuttle
Barnaby	Fowle	Moriarty	Ward
Bates	Fox	Newton	Wetmore
Bolt	Klingman	Shields	White
Bradley	Kline	Smith	Whitney
Collins	Krueger	Snell	
			27

NAYS.

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The title of the bill was agreed to.

By unanimous consent the Senate returned to the order of

REPORTS OF STANDING COMMITTEES.

By the Committee on Fisheries:

The Committee on Fisheries reports

Senate bill No. 33 (file No. 30), entitled

A bill to amend section 1 of an act, entitled "An act to establish a State Board of Fish Commissioners, and to repeal Act No. 124 of the Session Laws of 1873, Act No. 71 of the Session Laws of 1875, and Act No. 3 of the Session Laws of 1882," the same being section 5833 of the Compiled Laws of 1897;

With the accompanying substitute therefor:

Senate substitute for Senate bill No. 33 (file No. 30), entitled

A bill to amend section 1 and section 3 of an act entitled "An act to establish a State Board of Fish Commissioners and to repeal Act No. 124 of the Session Laws of 1873, Act No. 71 of the Session Laws of 1875, and Act No. 3 of the Session Laws of 1882," the same being sections 5833 and 5835 of the Compiled Laws of 1897.

The People of the State of Michigan enact:

Section 1. Sections 1 and 3 of an act, entitled "An act to establish a State Board of Fish Commissioners, and to repeal Act No. 124 of the Session Laws of 1873, Act No. 71 of the Session Laws of 1875, and Act No. 3 of the Session Laws of 1882," are hereby amended to read as follows:

Sec. 1. From and after the passage of this act the State Board of Fish Commissioners, herein provided for, shall consist of five members, to be appointed by the Governor, by and with the advice and consent of the Senate. The members of said board appointed under and pursuant to the provisions of section 5833 of the Compiled Laws of 1897 and holding office at the time of the passage of this act, shall be continued in office as members of said board until the expiration of the term for which they were respectively appointed. The additional members of said board shall be appointed for such periods that the term of office of one member of said board shall expire annually, and annually thereafter the Governor shall appoint a member of said board whose term of office shall be for a period of five years. The several members of said board shall hold office until their respective successors are appointed and qualified, and if any vacancy occurs in said board another shall be appointed as aforesaid to fill the unexpired term thereof. Where appointments are made at a time when the legislature is not in session, to fill a vacancy or otherwise, the same shall be submitted to the Senate for confirmation at its next regular session, if such appointments are to extend beyond the next session of the legislature, and when such appointments are made at a time when the legislature is not in session, the appointees shall hold office after qualifying, until confirmed or rejected by the Senate. The board of fish commissioners and their successors in office appointed hereunder, or under any act of the legislature of this State which may hereafter become a law, shall constitute a body corporate by and with the name and title of the "State Board of Fish Commissioners," with the right, as such corporation, of contracting, suing and being sued, of making and using a common seal, taking conveyances and leases of lands and tenements, and holding and disposing of the same, in the said corporate name, and of owning, using and disposing of personal property for the uses of said board in carrying out the objects of their organization and appointment, as the same are herein or may by law hereafter be declared.

Sec. 3. Said board of commissioners shall cause to be kept proper books of account and records of their own transactions and also of all operations and experiments in the discharge of the duties aforesaid and shall report annually on or before the 31st day of January to the Governor upon the operations for the previous fiscal year and said report shall contain in detail the expenditures of the said commission for such fiscal year and the practical results and success of the operations of the said commission and failure to make such report shall be cause for removal from office;

Recommend that the substitute be concurred in, and that the bill as substituted, pass.

FRED R. MING,
Chairman.

The question being on concurring in the substitute offered for the bill by the committee,

Mr. Ming moved that the Senate concur.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

Mr. Watkins moved that the Senate take a recess for ten minutes and that Hon. Charles E. Townsend of Jackson, a member of the House of Representatives of the United States, be invited to address the Senate, and that a special committee be appointed to escort Mr. Townsend to the chair.

The motion prevailed, the time being 3:30 o'clock p. m.

The President appointed as such committee, Messrs. Watkins, Taylor and Fowle.

Mr. Townsend then addressed the Senate.

AFTER RECESS.

3:40 o'clock p. m.

The Senate was called to order by the President.
A quorum of the Senate was present.

Mr. Wetmore moved that the Senate adjourn.

The motion prevailed, the time being 3:45 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 9 o'clock a. m.

ELBERT V. CHILSON,
Secretary of the Senate.

THIRTY-SEVENTH DAY.

Lansing, Friday, March 12.

9 o'clock a. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Foster, Fowle, Fox, Krueger, Moriarty, Newton, Shields, Smith, Tuttle, Ward, Whitney—17.

The following Senators were absent with leave: Messrs. Anhut, Fairbanks, Kingman, Kline, MacKay, Mapes, Ming, Scott, Snell, Taylor, Weter, Wetmore, White—13.

The following Senators were absent without leave: Messrs. Aitkin, Watkins—2.

Mr. Moriarty moved that leaves of absence be granted to the absentees from today's session.

The motion prevailed.

PRESENTATION OF PETITIONS.

No. 308. By Mr. Ward: Petition of C. F. Kiefer and 83 other citizens of Mecosta county in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 309. By Mr. Dickinson: Petition of Elva Sylvester and 29 other members of the Woman's Club, of Charlotte, on the same subject.

The petition was referred to the Committee on Public Health.

No. 310. By Mr. Moriarty: Petition of Pete Laplant and 49 other citizens of Crystal Falls on the same subject.

The petition was referred to the Committee on Public Health.

No. 311. By Mr. Moriarty: Petition of L. D. Rowley and 111 other citizens of Crystal Falls on the same subject.

The petition was referred to the Committee on Public Health.

No. 312. By Mr. Bradley: Protest of F. W. Peck and 107 other members of Mulberry Camp No. 875, M. W. of A., of Belding, against the passage of the proposed minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 313. By Mr. Newton: Resolutions of Ann Arbor Camp No. 2796, M. W. of A., of Ann Arbor, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 314. By Mr. Bradley: Petition of W. D. Day and 34 other members of Coral Grange No. 741, of Montcalm county, urging the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Forestry and State Lands.

No. 315. By Mr. Smith: Resolutions of the Michigan Retail Lumber Dealers' Association urging the immediate adoption of some comprehensive plan of State reforestation.

The resolutions were referred to the Committee on Forestry and State Lands.

MOTIONS AND RESOLUTIONS.

Mr. Whitney offered the following resolution:

Senate resolution No. 70.

Whereas, By Act No. 227, of the Public Acts of 1899, a permanent Forestry Commission for the State of Michigan was authorized and its duties prescribed; and

Whereas, Under Act No. 175, of the Public Acts of 1903, a permanent forest reserve, situated in township 21 north, ranges 3 and 4 west, and the north half of township 24 north, range 4 west, all in Roscommon county, and the south one-half of township 25 north, range 4 west, in Crawford county, were withdrawn from sale and entry and set apart for this purpose; and

Whereas, The Forestry Commission, organized under Act No. 227 of the Public Acts of 1899, has had placed in its hands appropriations of many thousand of dollars to be expended for carrying out the provisions of these acts; and

Whereas, 42,692.36 acres of land have been under the care of the said Forestry Commission since the passage of these acts, and certain bills have been introduced and are now pending for the setting aside of still larger quantities of State lands to be placed under the supervision and control of the said commission; therefore be it

Resolved, That for the purpose of obtaining satisfactory information to be placed before these two bodies, the special committee appointed by the President, February 25, 1909, to investigate the method

of disposing of State lands, be authorized and instructed to visit and inspect the territory above described, now under the control and supervision of the Forestry Commission, and make report of their findings to the Legislature.

Mr. Whitney moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Newton asked and obtained leave of absence for Mr. Watkins from Monday's session.

Mr. Moriarty moved that a respectful message be sent to the House, asking the return to the Senate of

House bill No. 19 (file No. 13), entitled

A bill to amend section 152 of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891, and all other acts and parts of acts in any wise contravening any of the provisions of this act," approved June 1, 1893, being compiler's section No. 3824 et seq. of the Compiled Laws of 1897, as said act was amended by Act No. 154 of the Public Acts of 1899, approved June 23, 1899, and as said act was further amended by Act No. 281 of the Public Acts of 1905, approved June 16, 1905.

The motion did not prevail, a majority of all the Senators present not voting therefor.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 11, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 195 (file No. 81), entitled

A bill to amend section 1 of Act No. 161 of the Public Acts of 1893,

entitled "An act to authorize the formation of corporations for the prevention of cruelty to children," being compiler's section 8418 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 11, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 157 (file No. 84), entitled

A bill to amend sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of chapter 2 and sections 1, 2 and 3 of chapter 9 of Act No. 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools and to repeal all statutes and acts contravening the provisions of this act," being sections 4646, 4647, 4649, 4650, 4651, 4652, 4653, 4654, 4655, 4656, 4657, 4658, and sections 4743, 4744 and 4745 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

The following message from the House was also received and read:

House of Representatives,
March 12, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 64.

Whereas, Through the wise generosity of Mr. Andrew Carnegie, there has been established and liberally endowed, a corporation known as the Carnegie Foundation for the Advancement of Teaching, the purpose of which is to encourage the adoption of teaching as a profession by providing retiring allowances for professors and administrative officers after long service, and for the widows of professors; and

Whereas, By a large addition to the original endowment, Mr. Carnegie has enabled the administrative officers and professors of State

institutions of a certain grade to receive the benefits of retiring allowances and also the widows of professors, providing the Board of Control makes application for such admission, with the approval of the Legislature and Governor of the State; and

Whereas, The State Board of Agriculture, the governing board of the State Agricultural College, appreciating the advantage that participation in said fund will afford by enabling them to employ and retain the services of a much higher class of educators than would otherwise be possible, have applied for participation in said fund; therefore be it

Resolved by the Senate (the House of Representatives concurring), That the provision which Mr. Carnegie has made for promoting the cause of advanced education, is deeply appreciated and that the action of the State Board of Agriculture in making application for the admission of administrative officers and professors and the widows of professors of the Agricultural College to the benefits of said fund is hereby approved; and be it further

Resolved, That these resolutions, when adopted by the Legislature, be presented to the Governor, for his approval.

In the adoption of which the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The resolution was referred to the secretary for printing and presentation to the Governor.

INTRODUCTION OF BILLS.

Mr. Collins introduced

Senate bill No. 179, entitled

A bill to require all railway and vessel companies to provide aseptic closets and urinals, and to provide a penalty for their failure to do so.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Public Health.

Mr. Collins introduced

Senate bill No. 180, entitled

A bill to amend section 1 of Act No. 53 of the laws of the State of Michigan for the year 1853, entitled "An act to provide for the publication of probate and other legal notices," the same being section 698 of the compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Tuttle moved that the Senate adjourn.

The motion prevailed, the time being 9:30 o'clock a. m.

The President declared the Senate adjourned until Monday, March 15, at 9 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

entitled "An act to authorize the formation of corporations for the prevention of cruelty to children," being compiler's section 8418 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,

March 11, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 157 (file No. 84), entitled

A bill to amend sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of chapter 2 and sections 1, 2 and 3 of chapter 9 of Act No. 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools and to repeal all statutes and acts contravening the provisions of this act," being sections 4646, 4647, 4649, 4650, 4651, 4652, 4653, 4654, 4655, 4656, 4657, 4658, and sections 4743, 4744 and 4745 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

The following message from the House was also received and read:

House of Representatives,

March 12, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 64.

Whereas, Through the wise generosity of Mr. Andrew Carnegie, there has been established and liberally endowed, a corporation known as the Carnegie Foundation for the Advancement of Teaching, the purpose of which is to encourage the adoption of teaching as a profession by providing retiring allowances for professors and administrative officers after long service, and for the widows of professors; and

Whereas, By a large addition to the original endowment, Mr. Carnegie has enabled the administrative officers and professors of State

institutions of a certain grade to receive the benefits of retiring allowances and also the widows of professors, providing the Board of Control makes application for such admission, with the approval of the Legislature and Governor of the State; and

Whereas, The State Board of Agriculture, the governing board of the State Agricultural College, appreciating the advantage that participation in said fund will afford by enabling them to employ and retain the services of a much higher class of educators than would otherwise be possible, have applied for participation in said fund; therefore be it

Resolved by the Senate (the House of Representatives concurring), That the provision which Mr. Carnegie has made for promoting the cause of advanced education, is deeply appreciated and that the action of the State Board of Agriculture in making application for the admission of administrative officers and professors and the widows of professors of the Agricultural College to the benefits of said fund is hereby approved; and be it further

Resolved, That these resolutions, when adopted by the Legislature, be presented to the Governor, for his approval.

In the adoption of which the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The resolution was referred to the secretary for printing and presentation to the Governor.

INTRODUCTION OF BILLS.

Mr. Collins introduced

Senate bill No. 179, entitled

A bill to require all railway and vessel companies to provide aseptic closets and urinals, and to provide a penalty for their failure to do so.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Public Health.

Mr. Collins introduced

Senate bill No. 180, entitled

A bill to amend section 1 of Act No. 53 of the laws of the State of Michigan for the year 1853, entitled "An act to provide for the publication of probate and other legal notices," the same being section 698 of the compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Tuttle moved that the Senate adjourn.

The motion prevailed, the time being 9:30 o'clock a. m.

The President declared the Senate adjourned until Monday, March 15, at 9 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

THIRTY-EIGHTH DAY.

Lansing, Monday, March 15.

9 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Bates, Bradley, Dickinson, Foster, Fox, Kline, MacKay, Ming, Moriarty, Shields, Smith, Taylor, Tuttle, Whitney—16.

The following Senators were absent with leave: Messrs. Fowle, Kingman, Scott, Snell, Watkins, Weter, White—7.

The following Senators were absent without leave: Messrs. Barnaby, Bolt, Collins, Fairbanks, Krueger, Mapes, Newton, Ward, Wetmore—9.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

THIRTY-NINTH DAY.

Lansing, Tuesday, March 16.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. O. J. Price, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bradley, Dickinson, Fairbanks, Foster, Fox, Kingman, Kline, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Wetmore, White, Whitney—27.

The following Senator was absent with leave: Mr. Weter—1.

The following Senators were absent without leave: Messrs. Bolt, Collins, Fowle, Krueger—4.

Mr. Moriarty asked and obtained leave of absence for Mr. Collins from today's session.

Mr. Foster asked and obtained leave of absence for Mr. Fowle from today's session.

Mr. Tuttle asked and obtained leave of absence for Mr. Bolt from the sessions of yesterday and today.

Mr. Shields asked and obtained indefinite leave of absence for Mr. Krueger, also from the sessions of yesterday and today, owing to a death in his family.

Mr. MacKay asked and obtained leave of absence for himself from the remaining sessions of this week.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that
Senate bill No. 158 (file No. 142);
Senate bill No. 159 (file No. 143);
Senate bill No. 160 (file No. 144);

Senate bill No. 161 (file No. 145);
Senate bill No. 162 (file No. 146);
Senate bill No. 163 (file No. 147);
Senate bill No. 165 (file No. 148);
Senate bill No. 166 (file No. 149);
Senate bill No. 167 (file No. 150);
Senate bill No. 168 (file No. 151);
Senate bill No. 169 (file No. 152);
Senate bill No. 170 (file No. 153);
Senate bill No. 171 (file No. 154);
Senate bill No. 172 (file No. 156);
Senate bill No. 173 (file No. 157);
Senate bill No. 174 (file No. 158);
Senate bill No. 175 (file No. 159);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

The Secretary announced that the following bill had been printed and that it was presented to the Governor for approval March 16:

Senate bill No. 2 (file No. 2, enrolled No. 5).

PRESENTATION OF PETITIONS.

No. 316. By Mr. Foster: Resolutions of the Mystic Workers of the World, of Star City, protesting against the passage of the proposed minimum rate bill for fraternal insurance societies.

The resolutions were referred to the Committee on Insurance.

No. 317. By Mr. Foster: Resolutions of Camp No. 10635, M. W. of A., of Hale, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 318. By Mr. Bates: Protest of the Mystic Workers of the World, of Glendale, on the same subject.

The protest was referred to the Committee on Insurance.

No. 319. By Mr. Bates: Protest of the Mystic Workers of the World, of Lawton, on the same subject.

The protest was referred to the Committee on Insurance.

No. 320. By Mr. Bates: Protest of the Mystic Workers of the World, of South Haven, on the same subject.

The protest was referred to the Committee on Insurance.

No. 321. By Mr. Bates: Protest of M. J. Shered and 50 other members of Waverly Camp No. 3178, M. W. of A., of Bloomingdale, on the same subject.

The protest was referred to the Committee on Insurance.

No. 322. By Mr. Tuttle: Resolutions of Camp No. 3220, M. W. of A., of Mason, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 323. By Mr. Tuttle: Protest of the Mystic Workers of the World, of Lansing, on the same subject.

The protest was referred to the Committee on Insurance.

No. 324. By Mr. Tuttle: Resolutions of Camp No. 1707, M. W. of A., of Leslie, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 325. By Mr. Tuttle: Protest of Alvah R. Bell and 60 other members of Camp No. 3220, M. W. of A., of Mason, on the same subject.

The protest was referred to the Committee on Insurance.

No. 326. By Mr. Moriarty: Protest of August Carlson and 24 other members of Sagola Camp, M. W. of A., of Sagola, on the same subject.

The protest was referred to the Committee on Insurance.

No. 327. By Mr. Moriarty: Resolutions of Hematite Camp No. 1128, M. W. of A., of Ishpeming, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 328. By Mr. Dickinson: Resolutions of Camp No. 2243, M. W. of A., of Charlotte, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 329. By Mr. Dickinson: Protest of R. M. Kirkpatrick and 51 other members of Camp No. 4983, M. W. of A., of Grand Ledge, on the same subject.

The protest was referred to the Committee on Insurance.

No. 330. By Mr. Dickinson: Resolutions of Camp No. 9715, M. W. of A., of Elsie, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 331. By Mr. Kline: Protest of H. H. Halladay and 30 other members of Camp No. 6140, M. W. of A., of Clinton, on the same subject.

The protest was referred to the Committee on Insurance.

No. 332. By Mr. Kline: Protest of W. C. Ladd and 23 other members of the M. W. of A., of Clayton, on the same subject.

The protest was referred to the Committee on Insurance.

No. 333. By Mr. Scott: Protest of the Mystic Workers of the World, of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 334. By Mr. Wetmore: Protest of H. F. Lane and 30 other members of Camp No. 9309, M. W. of A., of Kalkaska, on the same subject.
The protest was referred to the Committee on Insurance.

No. 335. By Mr. Ming: Protest of Fred Black and 130 other members of the M. W. of A., of Cheboygan, on the same subject.
The protest was referred to the Committee on Insurance.

No. 336. By Mr. Smith: Resolutions of Camp No. 10048, M. W. of A., of Mass., on the same subject.
The resolutions were referred to the Committee on Insurance.

No. 337. By Mr. Smith: Resolutions of Camp No. 2552, M. W. of A., of L'Anse, on the same subject.
The resolutions were referred to the Committee on Insurance.

No. 338. By Mr. Fox: Petition of Nelson Davis and 25 other citizens of Lapeer county in favor of the passage of the anti-cigarette bill.
The petition was referred to the Committee on Public Health.

No. 339. By Mr. Taylor: Petition of Frances H. Chamberlain and 60 other citizens of Kalamazoo on the same subject.
The petition was referred to the Committee on Public Health.

No. 340. By Mr. Ward: Petition of Mrs. John Kelley and 41 other citizens of Mt. Pleasant on the same subject.
The petition was referred to the Committee on Public Health.

No. 341. By Mr. Foster: Petition of W. G. Sainsbury and 70 other citizens of Gladwin on the same subject.
The petition was referred to the Committee on Public Health.

No. 342. By Mr. Foster: Resolutions of the teachers of Gladwin county in convention assembled on the same subject.
The resolutions were referred to the Committee on Public Health.

No. 343. By Mr. Wetmore: Petition of Clyde McNitt and 12 other members of Haring Grange No. 1107, of Wexford county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 344. By Mr. Ming: Petition of J. M. Hudson and 50 other members of Five Lakes Grange No. 858, of Otsego county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 345. By Mr. Aitkin: Petition of Nathan Case and 15 other members of East Huron Grange No. 1097, of Huron county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 346. By Mr. Ward: Petition of Pleasant View Grange No. 1153, of Mecosta county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 347. By Mr. Ming: Petition of Harry Alea and 10 other members of the Alpena fire department in favor of the passage of the firemen's pension act.

The petition was referred to the Committee on State Affairs.

No. 348. By Mr. Tuttle: Petition of James Brown and 6 other members of the Owosso fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 349. By Mr. Tuttle: Petition of William Craig and 12 other members of the Corunna fire department on the same subject.

The petition was referred to the Committee on State Affairs.

No. 350. By Mr. Fox: Protest of William Curry and 9 other farmers of Tuscola county against the passage of the Curtiss bill to license vendors of medicines.

The protest was referred to the Committee on Public Health.

No. 351. By Mr. Fox: Protest of L. E. Dickinson and 6 other farmers of Tuscola county on the same subject.

The protest was referred to the Committee on Public Health.

No. 352. By Mr. Taylor: Protest of W. B. Allerton and 22 other citizens of St. Joseph county on the same subject.

The protest was referred to the Committee on Public Health.

No. 353. By Mr. Fairbanks: Protest of W. L. Bowman and 18 other citizens of Fremont on the same subject.

The protest was referred to the Committee on Public Health.

No. 354. By Mr. Shields: Petition of Rev. G. H. Lahr and 35 other citizens of Livingston county on the same subject.

The petition was referred to the Committee on Public Health.

No. 355. By Mr. Tuttle: Resolutions of the People's Church, of East Lansing, protesting against the passage of the Ormsbee bill.

The resolutions were referred to the Committee on Liquor Traffic.

No. 356. By Mr. Tuttle: Resolutions of Owosso township Grange No. 796, P. of H., in favor of the passage of the Whelan bill to abolish the office of State Highway Commissioner.

The resolutions were referred to the Committee on Roads and Bridges.

No. 357. By Mr. Kline: Protest of the Smith-Thatcher Quarry Company and other shippers of Maybee, against the repeal of the car-load rate law.

The protest was referred to the Committee on Railroads.

No. 358. By Mr. Bates: Resolutions of Farmers' Institute held at Bangor, February 3 and 4, in favor of the passage of a law to prohibit druggists from selling liquor except on prescription of a reputable physician.

The resolutions were referred to the Committee on Liquor Traffic.

No. 359. By Mr. Ward: Protest of W. J. Jones and 47 other citizens of Big Rapids against the passage of the Ogg bill relative to the sale of personal property in installments.

The protest was referred to the Committee on Judiciary.

No. 360. By Mr. Foster: Protest of Thomas Moore and 42 other citizens of Edenville against the passage of legislation impeding the development of water power.

The protest was referred to the Special Committee on Investigation of Waterways.

No. 361. By Mr. Foster: Protest of the Board of Supervisors of Missaukee county and various citizens of Alcona, Oscoda, Roscommon and Iosco counties against the setting aside of State lands for reforestation.

The protest was referred to the Special Committee on Forestry and State Lands.

No. 362. By Mr. Bradley: Petition of Henry Paulsen and 118 other citizens of Montcalm and Kent counties in favor of an amendment to the fish laws permitting the spearing of suckers, pickerel and pike, through the ice in the waters of Montcalm and Kent counties.

The petition was referred to the Committee on Fisheries.

No. 363. By Mr. Fairbanks: Protest of H. E. Hoffman and 57 other citizens of Mason county against the passage of the Agens bill to permit the spearing of steel-head trout in the Pere Marquette river.

The protest was referred to the Committee on Fisheries.

No. 364. By Mr. Foster: Resolutions of Staatsverband Michigan relative to the utilization of tax lands for forest reserves, for private timber reserves and for settlements.

The resolutions were referred to the Special Committee on Forestry and State Lands.

No. 365. By Mr. Shields: Petition of B. G. Kanouse and 10 other citizens of Livingston county in favor of the passage of legislation to aid in eradicating tuberculosis in cattle.

The petition was referred to the Committee on Public Health.

No. 366. By Mr. Bates: Resolutions of the State Association of Supervisors, in convention at Lansing, February 2, 3 and 4, relative to the taxation of personal property.

Mr. Bates moved that the resolutions be spread at length in the Journal.

The motion prevailed.

The following are the resolutions:

To the Senate and Members of the House of Representatives of the State of Michigan, Gentlemen:

The State Association of the Supervisors of Michigan held its tenth annual meeting in the city of Lansing on February 2, 3 and 4, 1909, and, after careful consideration, unanimously adopted the resolution below given. We are directed to bring to your attention the fact that this resolution was unanimously adopted by the State Association of Supervisors. It is their earnest desire, representing as the Association does every portion of the State, that the resolution herewith submitted receive your careful consideration and, if deemed proper and wise, your favorable action thereon.

"Resolved, That it is the sense of the Association that after the boards of review confirm the assessment rolls in June of each year, the individuals, persons, firms or corporations, having personal property on said rolls, shall be liable for such tax that will be spread by the supervisor, and in the case of the removal of said personal property from said assessment district, the individuals, persons, firms, or corporations must give security for such taxes before the removal of said personal property, and that such security be placed in the hands of the township or city treasurer; and that the law be so amended as to cover the above question."

ANDREW J. TRIPP,
President.

The resolutions were referred to the Committee on Taxation.

MOTIONS AND RESOLUTIONS.

Mr. Anhut offered the following resolution:

Senate resolution No. 71.

Resolved, That the use of the Senate Chamber be granted to the Committee on Education and Public Schools for a public hearing this evening. The resolution was adopted.

Mr. Fairbanks offered the following resolution:

Senate resolution No. 72.

Resolved, That the use of the Senate chamber be granted to the Committee on Taxation, March 23, at 10 o'clock a. m., for a public hearing on the mortgage tax bill.

The resolution was adopted.

Mr. White offered the following resolution:

Senate resolution No. 73.

Resolved, That the Committee on Normal School at Kalamazoo be and is hereby authorized to visit that institution at their convenience.

Mr. White moved that the rules be suspended and that the resolution be placed upon its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 138 (file No. 59), entitled

A bill concerning notaries public, who are stockholders, directors, officers or employees of banks or other corporations;

With the recommendation that the bill pass.

FRED C. WETMORE.

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 79 (file No. 43), entitled

A bill to amend section 28 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," the same being compiler's section 390 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

FRED C. WETMORE.

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 99 (file No. 44), entitled

A bill to amend section 21 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation, of circuit court stenographers in the State of Michigan," approved May 29, 1897, the same being section 383 of the Compiled Laws of the State of Michigan for the year 1897;

With the recommendation that the bill pass.

FRED C. WETMORE.

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 151 (file No. 137), entitled

A bill to amend section 51 of chapter 14 of the Revised Statutes of 1846, being compiler's section 2549 of the Compiled Laws of 1897, so as to provide for two judges of probate in certain cases;

With the following amendment thereto:

By striking out all after the period in line 14 of section 51 and inserting the following:

"Whenever the United States census shall show that any county has two hundred fifty thousand inhabitants, the additional office herein provided for shall be deemed to be created and vacant, which vacancy shall be filled by appointment of the Governor, and the person so appointed shall hold office until a successor is elected and qualified. At the next general election a successor to such officer shall be elected who shall hold office until his successor shall be elected at the next alternate biennial election provided for in section 14 of Article VII of the Constitution, and shall have qualified."

Recommend that the amendment be concurred in, and that when so amended the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Religious and Benevolent Societies:

The Committee on Religious and Benevolent Societies reports

House bill No. 89 (file No. 39), and

Senate bill No. 110 (file No. 101), both entitled

A bill to prohibit the practice of palmistry, clairvoyancy, astrology or fortune telling by cards or other devices for money or gain, and to provide a penalty for violation of the provisions of this act;

With the accompanying substitute therefor, having the same title,

Recommend that the substitute be concurred in, and that the bill, as substituted, pass.

L. D. DICKINSON,
Chairman.

The report was accepted and the committee discharged.

Mr. Dickinson moved that the Senate concur in the adoption of the substitute reported by the committee.

The motion prevailed.

The bill was referred to the committee of the whole and placed on the general order.

Mr. Fox sent to the Secretary's desk, had read and obtained unanimous consent to have spread at length in the Journal the following pro-

test against the adoption of the substitute bill recommended by a majority of the committee:

"The above entitled bill, in my opinion, is too far reaching, as in section 2 of the bill it forbids the foretelling of future events by other means than those aforesaid, and is against the teachings of some of our sciences, especially astronomy and meteorology. The Rev. I. R. Hicks, in his weather forecast for the month of January, 1904, says: 'We enter the new year in the midst of a Venus perturbation. This will insure some very great extremes of temperature, with violent storms.' If this bill became a law it would exclude the sale of Hick's almanac and would unsettle the forecasts of our weather bureaus, and would likewise prevent the prediction of weather changes for pay, as well as being against the religious liberty which is guaranteed to every citizen under the constitution, State and federal. I believe we now have a statute that would reach just such cases as this bill is aimed at for fraud and deception and the punishment for the same."

EDWIN G. FOX,

Member of the Committee on Religious and Benevolent Societies.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 71.

Whereas, Announcement has been made of the death of Hon. Samuel H. Row, of Lansing, for nearly seventy years a citizen of Michigan, who rendered his country devoted service during its time of greatest need and who, as the first Commissioner of Insurance of Michigan, organized the insurance department of this State on a broad foundation that made for stability and permanency and contributed in a marked degree to the enviable reputation that department has ever since enjoyed throughout the country; and

Whereas, We realize that we have lost a valuable, public-spirited citizen, who, after serving his country with distinguished ability and devotion in the civil war, returning to civil life, was equally loyal and devoted to his duties as a citizen, and one whose voice and influence was ever on the side of right and justice; therefore be it

Resolved (the Senate concurring), That we have learned of the death of this most excellent citizen and faithful public servant with sincere regret; and be it further

Resolved, That a suitably engrossed copy of these resolutions be presented to the family of the deceased;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution,
The resolution was adopted.

The following message from the House was also received and read:

House of Representatives,
March 15, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 163 (file No. 85), entitled

A bill to amend section 1 of Act No. 146 of the Public Acts of 1895, entitled "An act to provide for teaching in the public schools the modes by which the dangerous communicable diseases are spread and the best methods for the restriction and prevention of such diseases," approved May 16, 1895, said section being compiler's section 4796 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,
March 15, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 140 (file No. 86), entitled

A bill to prohibit persons from expectorating in railroad and street railway cars, stations and public waiting rooms;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,
March 15, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 230 (file No. 93), entitled

A bill to regulate the sale of cocaine, its salts; alpha or beta eucaine, their salts; or any preparation of cocaine or its salts; or any preparation of alpha or beta eucaine, or their salts; or any compound, mixture, solution or other product of which cocaine or any of its salts or alpha or beta eucaine or any of their salts may be an ingredient;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,
March 15, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 142 (file No. 90), entitled

A bill to provide for the transfer of certain military property belonging to the State to the State Board of Agriculture and the board of trustees of the Industrial School for Boys at Lansing;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Military Affairs.

The following message from the House was also received and read:

House of Representatives,
March 15, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 219 (file No. 87), entitled

A bill permitting a person to appeal from the decision of the board of supervisors or county boards of auditors, where said person conceives

himself aggrieved, to the circuit court of the county where the same was disallowed, and to provide for the manner of appeal, the bond to be furnished and the time when said appeal shall be taken;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,

March 12, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 51 (file No. 47), entitled

A bill to provide for the election of a Superintendent of Public Instruction;

And to inform the Senate that in the passage of the bill the House has concurred, and has also ordered the bill to take immediate effect.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

Mr. Ming moved that the bill be ordered to take immediate effect for the reason that the bill comes under the provisions of section 21 of Article V of the Constitution of the State of Michigan, which provides "that the Legislature may give immediate effect to acts immediately necessary for the preservation of the public peace, health or safety."

The motion prevailed and the bill was ordered to take immediate effect, two-thirds of all the Senators elect voting therefor.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,

March 12, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to re-transmit to the Senate the following bill:

House bill No. 3 (file No. 5), entitled

A bill to amend section 1 of Act No. 111 of the Public Acts of 1889, entitled "An act to protect fish and to regulate fishing in the waters of

this State, by providing closed seasons for certain kinds of fish, by prohibiting the catching of fish in certain specified ways, by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes, by prohibiting the catching and killing, in the lakes, rivers and streams of this State, of more than a certain number of certain specified kinds of fish in any one day, by prohibiting the taking away and having possession of more than a certain number of such fish at any point away therefrom, by prohibiting the obstruction of the free passage of fish and by prohibiting the sale of certain kinds of fish, to protect persons engaged in fish culture and to repeal inconsistent acts," as amended, being section No. 5861 of the Compiled Laws of 1897;

Which the Senate amended as follows:

By striking out of line 4 of section 1 the word "first" and inserting in lieu thereof the word "fifteenth;"

And to inform the Senate that in the adoption of said amendment the House had not concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

Mr. Ming moved that the Senate insist on its amendment made to the above entitled bill and request of the House the appointment of a committee on conference to consider the matters of difference existing between the two Houses on the bill.

The motion prevailed.

INTRODUCTION OF BILLS.

Mr. Moriarty introduced

Senate bill No. 181, entitled

A bill to provide that two-thirds in number of a jury may render a verdict in certain cases.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Snell introduced

Senate bill No. 182, entitled

A bill to authorize and empower the village of Highland Park, in the county of Wayne, to extend its system of water works and to borrow money therefor and issue bonds for the payment thereof.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Cities and Villages.

Mr. Scott introduced

Senate bill No. 183, entitled

A bill to provide for the payment to the county treasurer of all fees and commissions collected by certain county officers in counties of over two hundred fifty thousand inhabitants.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Counties and Townships.

Mr. Foster introduced

Senate bill No. 184, entitled

A bill in relation to the boundaries of school districts in cities.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. MacKay introduced

Senate bill No. 185, entitled

A bill to provide for the assessment and collection of a specific tax upon the class of credits founded upon and evidenced by mortgages and liens upon real property, and to repeal all acts and parts of acts in contravention thereto.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. Taylor introduced

Senate bill No. 186, entitled

A bill to prevent deception and fraud in the sale of paints, linseed oil and spirits of turpentine.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. MacKay moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Bradley to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 151 (file No. 137), entitled

A bill to amend section 51 of chapter 14 of the Revised Statutes of 1846, being compiler's section 2549 of the Compiled Laws of 1897, so as to provide for two judges of probate in certain cases;

Also:

House bill No. 79 (file No. 43), entitled

A bill to amend section 28 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," the same being compiler's section No. 390 of the Compiled Laws of 1897;

Also:

House bill No. 99 (file No. 44), entitled

A bill to amend section 21 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State

of Michigan," approved May 29, 1897, the same being section 383 of the Compiled Laws of the State of Michigan for the year 1897;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate Substitute for

House bill No. 89 (File No. 39) and

Senate bill No. 110 (file No. 101), both entitled

A bill to prohibit the practice of palmistry, clairvoyancy, astrology or fortune telling by cards or other devices for money or gain, and to provide a penalty for violation of the provisions of this act;

Has made an amendment thereto, and has directed its chairman to report the same back to the Senate, asking that the amendment be concurred in, and further recommends that all after the enacting clause of the bill be stricken out.

WM. H. BRADLEY,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first, second and third named bills in the report and the bills were placed on the order of third reading of bills.

The question being on concurring in the amendment made to the fourth named bill by the committee of the whole,

Mr. Anhut demanded the yeas and nays.

The Senate then concurred, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fox	Mr. Ming	Mr. Watkins
Barnaby	Kingman	Scott	Wetmore
Bates	Kline	Smith	White
Bradley	Mapes	Tuttle	Whitney
Foster			

17

NAYS.

Mr. Anhut	Mr. MacKay	Mr. Shields	Mr. Ward
Dickinson	Newton	Snell	

7

The question then being on concurring in the recommendation of the committee of the whole that all after the enacting clause of the above entitled bill be stricken out,

Mr. Anhut demanded the yeas and nays.

The Senate then concurred, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Kingman	Mr. Moriarty	Mr. Snell
Anhut	Kline	Newton	Ward
Bradley	MacKay	Scott	Watkins
Foster	Mapes	Shields	Wetmore
Fox	Ming	Smith	Whitney

20

NAYS.

Mr. Barnaby
Bates

Mr. Dickinson

Mr. Tuttle

Mr. White

5

And all after the enacting clause of the bill was stricken out.

THIRD READING OF BILLS.

Senate bill No. 140 (file No. 126), entitled

A bill to regulate the manufacture and sale of ice cream within the limits of the State of Michigan;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Tuttle moved to amend the bill by adding to Sec. 7 the following proviso:

"Provided, That this section shall not apply except in cities of more than three thousand inhabitants, by the last United States census, to any person, firm or corporation manufacturing and selling ice cream by the dish direct to the consumer."

The amendment was received, a majority of all the Senators present voting therefor.

The amendment was then adopted.

The question being on the passage of the bill,

The bill was then passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Anhut
Barnaby
Bates
Bradley
Dickinson
FairbanksMr. Foster
Fox
Kingman
Kline
MacKay
MingMr. Moriarty
Newton
Scott
Shields
Smith
SnellMr. Tuttle
Ward
Watkins
Wetmore
White
Whitney

25

NAYS.

0

The title of the bill was agreed to.

Mr. Snell moved that the bill be ordered to take immediate effect for the reason that the bill comes under the provisions of section 21 of Article V of the Constitution of the State of Michigan, which provides "that the Legislature may give immediate effect to acts immediately necessary for the preservation of the public peace, health or safety."

The motion prevailed and the bill was ordered to take immediate effect, two-thirds of all the Senators-elect voting therefor.

Senate bill No. 151 (file No. 137), entitled

A bill to amend section 51 of chapter 14 of the Revised Statutes of 1846, being compiler's section 2549 of the Compiled Laws of 1897, so as to provide for two judges of probate in certain cases;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Foster	Mr. Moriarty	Mr. Ward	
Barnaby	Fox	Newton	Watkins	
Bates	Kingman	Scott	Wetmore	
Bradley	Kline	Shields	White	
Dickinson	MacKay	Smith	Whitney	
Fairbanks	Ming	Snell		23

NAYS.

0

The title of the bill was agreed to.

Mr. MacKay moved that the bill be reprinted before transmittal to the House.

The motion prevailed.

House bill No. 99 (file No. 44), entitled

A bill to amend section 21 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May 29, 1897, the same being section 383 of the Compiled Laws of the State of Michigan for the year 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Foster	Mr. Moriarty	Mr. Tuttle	
Barnaby	Fox	Newton	Ward	
Bates	Kingman	Scott	Watkins	
Bradley	Kline	Shields	Wetmore	
Dickinson	MacKay	Smith	White	
Fairbanks	Ming	Snell	Whitney	21

NAYS.

0

The title of the bill was agreed to.

House bill No. 79 (file No. 43), entitled

A bill to amend section 28 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," the same being compiler's section No. 390 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Ming	Mr. Tuttle
Anhut	Foster	Moriarty	Ward
Barnaby	Fox	Scott	Watkins

Mr. Bates
Bradley
Dickinson

Mr. Kingman
Kline
MacKay

Mr. Shields
Smith
Snell

Mr. Wetmore
White
Whitney

24

NAYS.

0

The title of the bill was agreed to.

Mr. Tuttle moved that the Senate adjourn.

The motion prevailed, the time being 3:50 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FORTIETH DAY.

Lansing, Wednesday, March 17.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. O. J. Price, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Wetmore, White, Whitney—29.

The following Senators were absent with leave: Messrs. Krueger, MacKay, Weter—3.

Mr. Moriarty asked and obtained leave of absence for himself from today's session after 2:30 o'clock p. m.

Mr. Ming asked and obtained indefinite leave of absence for himself after today's session.

Mr. Barnaby asked and obtained leave of absence for himself from the sessions of tomorrow and Friday.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
March 17, 1909.

To the President of the Senate:

Sir:—In my judgment, the time has come when there should be legislative action that will ultimately bring about a change in the method of employing the convict labor of our three penal institutions. At the present time and for many years past our State has leased to private contractors and corporations such prisoners as are able to work and are not needed to do the necessary labor connected with the care and maintenance of the institutions.

The price received by the State per day varies somewhat but taking one contract with another the price averages about fifty cents per day. In addition to this, the State, as a rule, furnishes buildings in which the manufacturing is done; provides heating, and, in many instances, even provides the power. That under this system, these institutions have been expensive burdens upon the taxpayers is shown by figures already in your possession furnished by Auditor General Fuller. The statement given includes the current cost and also the special appropriations for a number of years, including the cost of erection of the new twine plant at Jackson, and the initial cost of equipment. The amount also includes the expense of repairing and replacing buildings damaged and destroyed by fire. The current cost of maintaining the three prisons since 1895 is herewith given. The total amount for current expenses alone, which of course does not include any appropriations for repairs, additions to buildings, or new buildings, for the three prisons, from 1895 to 1908, inclusive, is nearly one and one-half million dollars. This is divided as follows:

Current expenses during that period:	
Michigan State Prison at Jackson, for the fiscal years 1895 to 1908	\$444,000 00
Michigan Reformatory at Ionia	533,000 00
State House of Correction and Branch of the State Prison at Marquette	485,000 00

While it is true that the heaviest current expense during a few of these years was incurred when the "State account" system was in operation, it should also be borne in mind that the period when the State was largely interested in the sale of prison manufactured goods was one of unparalleled business depression.

The reasons why the labor of these convicts and the sale of its products should be under State control and supervision are apparent and conclusive. The products made should be of such kinds and quantities and distributed and sold in such quantities and localities as to compete the least possible amount with industries of our own State. The so-called "State use" plan I do not believe to be entirely practicable. At the best it could afford an outlet for but a portion of the working prison population now numbering about twelve hundred. Practically the entire number of these men must be employed manufacturing products that must be thrown on the market and to that extent displace the product of free labor. This would be done if the product was used in a State institution and is even true of the work done by the inmates in and about the prisons.

I am, however, of the opinion that this labor can be disposed of in such a way that it will do but little if any harm to Michigan industries or labor. This can be proven by an investigation of the work done and results brought about at the Detroit House of Correction. The system there is directly the opposite of the contract system, and I do not hesitate to state that under good management the same system in opera-

tion in our three prisons during the last fifteen years would have returned to the State every dollar paid out for maintenance and current expense.

During the last fifteen years the city of Detroit has been paid by the Detroit House of Correction, \$498,650.00, or an average of over \$33,000.00 each year. In addition to this they have paid for repairs and construction work and insurance on buildings \$60,000.00. This expense incurred in our prisons would have been paid out of the State treasury. During the last eight years, this prison has paid out of its earnings \$48,000.00 to prisoners as a reward for good behavior and faithful service.

Deducting from the sum of these figures the amount that was received during this period for board and it will be shown that the Detroit House of Correction has not only paid its entire running expenses but kept its premises in repair and insured. It should also be borne in mind that these satisfactory results were brought about in a prison where almost fifty per cent of the prisoners were serving sentences of thirty days and almost ninety per cent of the whole number were serving sentences of ninety days or under.

I append herewith and desire to make a part of this message the following copy of a letter received from Superintendent McDonell, of the Detroit House of Correction.

"Detroit, Mich., March 11, 1909.

Hon. Fred M. Warner, Governor,
Lansing, Mich.:

Dear Sir:—Complying with your telephone request of this A. M., I am herewith enclosing you some figures I have prepared covering the operations of this institution from the year 1894 to date, and which I trust you will find to contain the information you seek.

I desire to call your attention to the fact that the title to the buildings and grounds of the Detroit House of Correction, being in the name of the city of Detroit, they are not inventoried by us, therefore we receive no credit for any disbursements for alternations or repairs to buildings, or for new construction, the money for which is taken out of the earnings of the institution and lessens by that much the earnings of the year.

Again, the buildings and contents are insured in the name of the city of Detroit, but the premiums are paid out of the earnings of the institution. These premiums from 1895 to 1906 averaged about \$2,100.00 per year. In 1907 the sprinkler system was installed, since which time the premiums paid have averaged about one thousand dollars per annum, lessening the earnings for the year by that much.

That the amount shown herein as profits from the operation of the institution are not "paper" profits nor brought about by juggling figures can be determined from the fact that not one cent was appropriated by the city of Detroit to the institution for any purposes whatever during these years, and the amounts named as having been paid over to the city of Detroit were actual *cash* payments.

Our system by which a portion of the earnings of the prisoners is diverted to their benefit, I consider but an act of justice and is partici-

pated in by all prisoners whether their assignment be to industrial labor or prison duties. It is largely through the labor of the prisoner that the prison receives its income and I believe he should receive a percentage of this, that he may be enabled to face the world again with sufficient means to care for himself for a time until employment can be found and not forced into criminal ways through the necessity for food and shelter.

* * * * *

Yours respectfully,
J. L. McDONELL,
Superintendent."

The binder twine plant at the Michigan State Prison has been in operation less than one year and has had the delays and difficulties incident to the establishment and operation of a new plant. Notwithstanding this it has demonstrated its practical success as a prison industry. Established after strong opposition, it has disappointed those who hoped it would fail and at the end of one year's operation, employing only eighty prisoners, it has returned a net profit of \$12,000.00. In this connection, I desire to state that certain newspapers have been stating at different times that the claim was made that the profits of last season were \$50,000.00. No such statement ever came from any member of the board or from any one connected with the operation of the factory. Like other statements false and misleading it had its origin with some enemy of the binder twine plant, and the printing of it was undoubtedly for the purpose of showing its falsity in some succeeding edition in an endeavor to discredit the plant and those who favored its establishment. A profit of \$50,000.00 in eight months upon an investment of \$50,000.00 and a working capital of \$125,000.00 was hardly to be expected and was not claimed. It is a conservative estimate that the profits this year will be double that of last season and every dollar of the profit except the percentage paid to the men who work in it goes to the State.

I believe this industry can be built up and extended and that four or five times the number of prisoners now employed can be profitably employed in a twine and cordage plant.

I am advised that the twine plant in the Stillwater Prison in Minnesota has paid a profit of over a million dollars in the last twelve years. The profits on the last two seasons' operation are \$306,000.00.

The output of the Jackson twine plant was distributed last season through sixty-three counties and was used upon over twelve thousand farms and gave universal satisfaction. To my knowledge but two complaints were received during the entire season. Sold this year under the same auspices the fact that orders received so far reach a total of 550,925 lbs. is the very best proof that can be given of the quality of the product. The amount so far ordered is about one-half of the entire output of last season and that the entire amount that can be made and placed on the market this year will be sold before harvest is practically certain.

The manufacture of grain bags is an industry that would seem well adapted for prison labor. The article is and will be staple and its

sale could be handled along the same line as the product of the binder twine factory. The most that can be done by the present Legislature would be to provide some change in the method of employing the prisoners as the various contracts expire. These contracts have been legally made and there should be no adverse legislation that will interfere in any way with the legal rights of the contractors.

It is the future policy of the State that is to be considered and in my judgment the interests of Michigan manufacturers, Michigan laborers and Michigan taxpayers will be benefited if this Legislature will pave the way for "the State account system," of employing the labor of our prisoners, and ultimately do away with the leasing or private contract system.

The treatment of the convict and his welfare should not be considered a matter of minor consideration. From this standpoint I believe the employment of the prisoner by the State whose law he has transgressed far preferable. The system pursued at the Detroit House of Correction and in connection with the binder twine plant at Jackson gives to the prisoner who works well and faithfully an opportunity to share to an extent in the result of his toil. This is done in some instances by the contractors but there is not nor can there be any uniformity about the price paid for overtime by different contractors interested in the same prison. There is an element of justice about the earnings of a prisoner, benefiting his State and family, lacking, when employed by private contractors. Just why the profit of his labor should benefit some private individual or corporation is a problem beyond the comprehension of the average prisoner. Neither can the reason be given by the student of penology or the taxpayer.

Believing the time has come when the State's future policy in dealing with this question should be determined, the matter is submitted for your careful consideration.

Very respectfully,

FRED M. WARNER,

Governor.

The message was referred to the Committee on State Prison at Jackson.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that

Senate bill No. 176 (file No. 160);

Senate bill No. 177 (file No. 161);

Senate bill No. 178 (file No. 162);

Senate bill No. 33 (file No. 163);

Senate bill No. 179 (file No. 164);

Senate bill No. 180 (file No. 165);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

PRESENTATION OF PETITIONS.

No. 367. By Mr. Fairbanks: Petition of Custer Grange No. 1062, of Mason county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 368. By Mr. Fox: Petition of Rich Excelsior Grange No. 768, of Lapeer county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 369. By Mr. Watkins: Petition of Montgomery Grange No. 948, of Hillsdale county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 370. By Mr. Fox: Petition of Rich Excelsior Grange No. 768, of Lapeer county, in favor of the passage of the Baker bill requiring telephone companies to provide for interchange of service.

The petition was referred to the Committee on Taxation.

No. 371. By Mr. Fairbanks: Petition of Custer Grange No. 1052, of Mason county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 372. By Mr. Watkins: Protest of F. M. Clough and 21 other citizens of Jackson county against the passage of the Ormsbee bill.

The protest was referred to the Committee on Liquor Traffic.

No. 373. By Mr. Watkins: Protest of Abel M. Hame and 32 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 374. By Mr. Fairbanks: Protest of Richard Storms and 6 other farmers of Newaygo county against the passage of the Curtiss bill to license vendors of medicine.

The protest was referred to the Committee on Public Health.

No. 375. By Mr. Bradley: Protest of C. E. Walter and 5 other farmers of Ionia county on the same subject.

The protest was referred to the Committee on Public Health.

No. 376. By Mr. Dickinson: Protest of F. J. Johnson and 18 other farmers of Barry county on the same subject.

The protest was referred to the Committee on Public Health.

No. 377. By Mr. Taylor: Protest of M. F. Drake and 22 other citizens of Kalamazoo county on the same subject.

The protest was referred to the Committee on Public Health.

No. 378. By Mr. Fowle: Resolutions of Homestead No. 1234, Brotherhood of American Yeoman, of Menominee, protesting against the passage of the proposed minimum rate bill for fraternal insurance societies.

The resolutions were referred to the Committee on Insurance.

No. 379. By Mr. Bradley: Petition of William J. Nielson and 19 other citizens of Montcalm county urging the abolishment of the office of State Highway Commissioner and the repeal of the present county road law.

The petition was referred to the Committee on Roads and Bridges.

No. 380. By Mr. Barnaby: Petition of F. N. Church and 65 other citizens of Kent county in favor of the present system of rendering State aid in the improvement of highways.

The petition was referred to the Committee on Roads and Bridges.

No. 381. By Mr. Newton: Petition of Stella D. Rood and 33 other members of the Women's Club of Ann Arbor, in favor of the passage of Senate bill No. 64, providing for the regulation of the labor of women and children.

The petition was referred to the Committee on Labor Interests.

No. 382. By Mr. Foster: Protest of Dr. James McEntee and 17 other physicians and surgeons of Isabella and Gladwin counties, against the passage of the Giles optometry bill.

The protest was referred to the Committee on Public Health.

No. 383. By Mr. Whitney: Resolutions of Colonel Schmidt Camp No. 24, United Spanish War Veterans, of Saginaw, in favor of the passage of House bill No. 233, making an appropriation for the payment of certain claims allowed to soldiers of the Spanish-American War.

The resolutions were referred to the Committee on Military Affairs.

No. 384. By Mr. Bradley: Petition of H. L. Jensen and 59 other citizens of Montcalm county in favor of the passage of an act to allow the spearing of fish through the ice in the waters of Montcalm county during the months of December, January, February and March.

The petition was referred to the Committee on Fisheries.

No. 385. By Mr. Kline: Protest of Charles Thiell and 43 other citizens of Addison against any change in the present game law which gives each licensed hunter the privilege of killing two deer.

The protest was referred to the Committee on Gaming Interests.

REPORTS OF STANDING COMMITTEES.

By the Committee on Railroads:

The Committee on Railroads reports

Senate bill No. 98 (file No. 88), entitled

A bill to amend the title and section 1 of Act No. 191 of the Public Acts of 1881, entitled "An act to prohibit railroad companies from

carrying on passenger trains any kerosene, benzine, naphtha, gasoline, or any inflammable oil or fluid other than as may be necessary to light or lubricate the cars composing the train on which such oil is carried," the same being section 11522 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

ERASTUS N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Railroads:

The Committee on Railroads reports

Senate bill No. 102 (file No. 93), entitled

A bill to provide for the safety of railroad train employes;

With the recommendation that the bill pass.

ERASTUS N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Public Health:

The Committee on Public Health reports

House bill No. 129 (file No. 73), entitled

A bill to promote the safe transportation of explosives and other dangerous articles and to provide penalties for its violation;

With the recommendation that the bill pass.

A. C. KINGMAN,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Public Health:

The Committee on Public Health reports

Senate bill No. 137 (file No. 123), entitled

A bill to amend sections 3 and 5 of Act No. 109 of the Public Acts of 1907, entitled "An act to provide for the appointment of a bacteriologist by the State Board of Health; to provide for the purchase of the necessary appliances and apparatus for bacteriological examinations, and providing an appropriation therefor;"

With the recommendation that the bill pass.

A. C. KINGMAN,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the Committee on Finance and Appropriations.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

Senate bill No. 157,

A bill authorizing the Commissioner of the State Land Office to sell sites to school districts, churches and cemetery associations from lands held by the State as tax homestead lands;

With the recommendation that the bill pass.

Geo. G. Scott,

Chairman.

The report was accepted and adopted and the committee discharged. The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the Committee on Insurance:

The Committee on Insurance reports

Senate bill No. 168 (file No. 151), entitled

A bill to amend section 20 of Act No. 119 of the Public Acts of 1893, entitled "An act to define what shall constitute fraternal beneficiary societies, orders or associations, to provide for their incorporation and the regulation of their business, and for the punishment for violation of the provisions of the act of their incorporation, and to repeal all existing acts inconsistent therewith:

With the following amendment thereto:

By inserting in line 6 of section 1 after the word "therewith," the following "being section 7759 of the Compiled Laws of 1887."

Recommend that the amendment be concurred in, and that when so amended the bill pass.

J. H. Whitney,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Whitney moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 170 (file No. 62), entitled

A bill to amend section 18 of chapter 94 of the Revised Statutes of 1846, entitled "Jurisdiction and procedure of justices' courts in criminal cases," being section 1036 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Banks and Corporations:

The Committee on Banks and Corporations reports

Senate bill No. 88 (file No. 79), entitled

A bill to repeal sections 41, 42, 60, 63, 65, 66, 68, 69 and 70 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," as amended, the same being sections 6130, 6131, 6149, 6152, 6154 and 6155 of the Compiled Laws of 1897, and Act No. 274 of the Public Acts of 1907;

With the recommendation that the bill pass.

F. B. KLINE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Banks and Corporations:

The Committee on Banks and Corporations reports

Senate bill No. 86 (file No. 77), entitled

A bill to repeal Act No. 68 of the Public Acts of 1893, as amended, entitled "An act to provide for the incorporation of supreme, grand and subordinate lodges of the United Home Protectors' Fraternity, a co-operative fraternal building and loan society or order."

With the recommendation that the bill pass.

F. B. KLINE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Banks and Corporations:

The Committee on Banks and Corporations reports

Senate bill No. 85 (file No. 76), entitled

A bill to repeal Act No. 205 of the Public Acts of 1877, as amended, entitled "An act to provide for the incorporation of societies for the receiving, loaning and investing of money;"

With the recommendation that the bill pass.

F. B. KLINE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Banks and Corporations:

The Committee on Banks and Corporations reports

Senate bill No. 84 (file No. 75), entitled

A bill to punish the making, circulating or transmitting of statements, rumors or suggestions derogatory to the financial condition or standing of a bank;"

With the recommendation that the bill pass.

F. B. KLINE,
Chairman.

The report was accepted and adopted and the committee discharged. The bill was referred to the committee of the whole and placed on the general order.

REPORTS OF SELECT COMMITTEES.

The select committee appointed to draft suitable resolutions in accordance with the suggestion contained in the message from the Governor concerning the resignation of Dr. James B. Angell, President of the University of Michigan, beg leave to submit the following resolutions; and recommend that said resolutions be adopted by the Senate:

Whereas, Dr. James B. Angell, after long and faithful service as the illustrious President of the University of Michigan, has seen fit to lay down the duties of his office, crowned with years and honor, and

Whereas, The people of the State of Michigan deeply appreciate the invaluable service he has rendered to the cause of education in this State, therefore be it

Resolved, by the Senate of the State of Michigan, in regular session assembled; That we tender to President Angell this expression of our high appreciation of his personal character and worth, and our grateful recognition of the work he has accomplished for the State during the years he has been at the head of our University which, through his efforts, now ranks among the greatest in the country.

Resolved further, That suitably engrossed copies of this resolution be presented to Dr. Angell, and to the Board of Regents of the University of Michigan.

JOHN D. MACKAY,
CHARLES SMITH,
FRED C. WETMORE,
Committee.

The resolutions were adopted.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 232 (file No. 99), entitled

A bill to amend section 1 of chapter 5 of Act No. 254 of the Public Acts of 1897, entitled "An act to provide for the construction and maintenance of drains and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto," the same being compiler's section 4344 of the Compiled Laws of 1897, having been last amended by Act No. 272 of the Public Acts of 1899;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Roads and Bridges.

The following message from the House was also received and read:

House of Representatives,
March 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 158 (file No. 100), entitled

A bill to repeal sections 1, 2, 3, 4, 5, 6 and 8 and to amend sections 7, 9, 10 and 11 of chapter 4 of Act No. 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being sections 4692, 4693, 4694, 4695, 4696, 4697, 4699 and sections 4698, 4700, 4701 and 4702 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

The following message from the House was also received and read:

House of Representatives,
March 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 242 (file No. 96), entitled

A bill to amend section 2 of Act No. 264 of the Public Acts of 1889, entitled "An act relative to disorderly persons and to repeal chapter 53 of the Compiled Laws of 1871, as amended by the several acts amendatory thereof," approved July 5, 1889, as amended by Act No. 190 of the Public Acts of 1895, entitled "An act to amend section 2 of Act No. 264 of the Public Acts of 1889, entitled 'An act relative to disorderly persons and to repeal chapter 53 of the Compiled Laws of 1871, as amended by the several acts amendatory thereof,' approved July 5, 1889, the same being section 1997a-1 of Howell's Annotated

Statutes, and to add a new section thereto to stand as section 6," approved May 22, 1895, the same being section 5924 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 245 (file No. 95), entitled

A bill to provide for the payment of an entry fee in justices' courts;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 11 (file No. 19), entitled

A bill to amend section 5 of chapter 108 of the Revised Statutes of 1846, entitled "The action of ejectment," being compiler's section 10951 of the Compiled Laws of 1897;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
March 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 52 (file No. 48), entitled

A bill to amend section 7 of chapter 12 of the Revised Statutes of 1846, as amended, the same being compiler's section 77 of chapter 11 of the Compiled Laws of 1897, as amended, entitled "The State Treasurer;"

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
March 18, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 49 (file No. 45), entitled

A bill to amend section 2 of Act No. 222 of the Public Acts of 1895, entitled "An act to provide for the appointment of a board of commissioners who shall have the management and control of the Mackinac Island State Park, and defining its powers and duties," being section 1258 of the Compiled Laws of 1897;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
March 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 20 (file No. 36), entitled

A bill to amend section 98a of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied, making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased, and to repeal Act No. 200 of the Public Acts of 1891, and all acts and parts of acts in any wise contravening any of the provisions of this act," as amended by Act No. 212 of the Public Acts of 1905;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
March 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 56 (file No. 52), entitled

A bill to provide for the publication, distribution and preservation of the manual of the Michigan Constitutional Convention of 1907; and prescribing the duties of the State Librarian appertaining thereto;

And to inform the Senate that the House has amended the same as follows:

1. By striking out of line 2 of section 1 the words "two thousand five hundred" and inserting in lieu thereof the words "twelve hundred and fifty."

2. By striking out of line 8 of section 1 the words "and one copy to each of the officers of said Legislature;"

And that in the passage of the bill, as thus amended, the House has concurred.

Very respectfully,

PAUL H. KING.

Clerk of the House of Representatives.

The question being on concurring in the amendments made to the bill by the House,

Mr. Wetmore moved that the Senate concur.

The motion prevailed, a majority of the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Altkin
Anhut
Barnaby
Bates
Bradley
Collins

Mr. Dickinson
Foster
Fowle
Fox
Kline
Mapes

Mr. Ming
Newton
Scott
Shields
Smith
Snell

Mr. Taylor
Ward
Watkins
Wetmore
White
Whitney

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NAYS.

Mr. Bolt

Mr. Fairbanks

Mr. Kingman

3

The bill was then referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
March 17, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 75 (file No. 68), entitled

A bill to prohibit the bringing into prisons of all weapons, or other implements which may be used to injure any convict or person or in assisting any convict to escape from punishment, or the selling or furnishing of the same to convicts; to prohibit the bringing into prisons of all spirituous or fermented liquors, drugs, medicines, poisons, opium, morphine or any other kind or character of narcotics, or the giving, selling or furnishing of spirituous or fermented liquors, drugs, medicines, poisons, opium, morphine or any other kind or character of narcotics to convicts or paroled prisoners and providing a penalty for the violation hereof;

And to inform the Senate that the House has amended the same as follows:

1. By inserting in lines 4 and 9 of section 1 and lines 5 and 9 of section 3 after the word "to" the words "or owned or leased by."

2. By inserting in line 22 of section 1 after the word "be" the word "knowingly;"

And that in the passage of the bill, as thus amended, the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the amendments made to the bill by the House,

Mr. Watkins moved that the Senate concur.

The motion prevailed, a majority of the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Taylor
Anhut	Fairbanks	Ming	Tuttle
Barnaby	Foster	Newton	Ward
Bates	Fowle	Scott	Watkins
Bolt	Fox	Shields	Wetmore
Bradley	Kingman	Smith	White
Collins	Kline	Snell	Whitney

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NAYS.

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The bill was then referred to the Secretary for printing and presentation to the Governor.

INTRODUCTION OF BILLS.

Mr. Kline introduced

Senate bill No. 187, entitled

A bill to amend section 19 of chapter 91 of the Revised Statutes of 1846, entitled "Jurisdiction, powers and procedure of probate courts," being section 663 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Kline introduced

Senate bill No. 188, entitled

A bill in relation to the publication in newspapers of the time schedules of carriers of passengers within this State.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Railroads.

Mr. Fox introduced

Senate bill No. 189, entitled

A bill to amend sections 34 and 40 of Act No. 206 of the Public Acts of 1903, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891 and all other acts and parts of acts in anywise contravening any of the provisions of this act," being compiler's sections 3857 and 3863 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. Shields introduced

Senate bill No. 190, entitled

A bill to amend sections 9 and 10 of Act No. 182 of the Public Acts of 1885, entitled "An act to provide for the appointment of a State Live-stock Sanitary Commission and a State Veterinarian, and to prescribe

their powers and duties, and to prevent and suppress contagious and infectious diseases among the livestock of the State," approved June 10, 1885, said sections being compiler's sections 5635 and 5636 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Public Health.

Mr. Fowle introduced

Senate bill No. 191, entitled

A bill making any person not a citizen and elector of this State and not a citizen of the United States, ineligible to election or appointment to any office in this State.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Barnaby introduced

Senate bill No. 192, entitled

A bill to amend sections 25 and 25A of Act No. 137 of the Laws of 1849, as amended, relative to authorizing proceedings against garnishees and for other purposes, being section 8055 of Howell's Annotated Statutes, the same being compiler's section 1014 of the Compiled Laws of 1897, as amended and added to by Act No. 257 of the Public Acts of 1899.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Bolt introduced

Senate bill No. 193, entitled

A bill to amend section 14 of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891 and all other acts and parts of acts in anywise contravening any of the provisions of this act," approved June 1, 1893, as amended by Act No. 32 of the Public Acts of 1891, approved April 8, 1899, being section 3837 of the Compiled Laws of 1897, as amended by Act No. 129 of the Public Acts of 1907, approved June 5, 1907.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. Ming introduced

Senate bill No. 194, entitled

A bill to regulate the taking of fish in the waters of Lakes Superior, Michigan, Huron and Erie, the bays thereof, and the connecting waters between said lakes, within the jurisdiction of this State, and to regulate the transportation, sale and possession of fish taken from said waters.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Fisheries.

Mr. Kline introduced

Senate bill No. 195, entitled

A bill to amend Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," as amended, by adding thereto four new sections, to be known as sections 21A, 29A, 54A and 55A.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Banks and Corporations.

Mr. Whitney moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. White to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 33 (file No. 163), entitled

A bill to amend sections 1 and 3 of an act, entitled "An act to establish a State board of fish commissioners, and to repeal Act No. 124 of the Session Laws of 1873, Act No. 71 of the Session Laws of 1875, and Act No. 3 of the Session Laws of 1882," the same being compiler's sections 5833 and 5835 of the Compiled Laws of 1897;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

Also:

Senate bill No. 102 (file No. 93), entitled

A bill to provide for the safety of railroad train employees;

Also:

House bill No. 138 (file No. 59), entitled

A bill concerning notaries public who are stockholders, directors, officers or employees of banks or other corporations;

Also:

Senate bill No. 168 (file No. 151), entitled

A bill to amend section 20 of Act No. 119 of the Public Acts of 1893, entitled "An act to define what shall constitute fraternal beneficiary societies, orders or associations, to provide for their incorporation and the regulation of their business, and for the punishment for violation of the provisions of the act of their incorporation, and to repeal all existing acts inconsistent therewith;"

Also:

Senate bill No. 98 (file No. 88), entitled

A bill to amend the title and section 1 of Act No. 191 of the Public Acts of 1881, entitled "An act to prohibit railroad companies from carrying on passenger trains any kerosene, benzine, naphtha, gasoline, or any inflammable oil or fluid other than as may be necessary to light or lubricate the cars composing the train on which such oil is carried," the same being section 11522 of the Compiled Laws of 1897;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in, and recommend that, as amended, the bills pass.

CHARLES E. WHITE,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first named bill in the report and the bill was placed on the order of third reading of bills.

The Senate concurred in the amendments made to the second, third, fourth and fifth named bills in the report and the bills were placed on the order of third reading of bills.

THIRD READING OF BILLS.

Senate bill No. 33 (file No. 163), entitled

A bill to amend sections 1 and 3 of an act, entitled "An act to establish a State board of fish commissioners, and to repeal Act No. 124 of the Session Laws of 1873, Act No. 71 of the Session Laws of 1875, and Act No. 3 of the Session Laws of 1882," the same being compiler's sections 5833 and 5835 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor. by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Taylor
Anhut	Foster	Newton	Ward
Barnaby	Fowle	Scott	Watkins
Bates	Fox	Shields	Wetmore
Bolt	Kingman	Smith	White
Bradley	Kline	Snell	Whitney
Collins			

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NAYS.

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The title of the bill was agreed to.

Senate bill No. 102 (file No. 93), entitled

A bill to provide for the safety of railroad train employees;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Tuttle
Anhut	Fairbanks	Newton	Ward
Barnaby	Foster	Scott	Watkins
Bates	Fowle	Shields	Wetmore
Bolt	Fox	Snell	White
Bradley	Kingman	Taylor	Whitney
Collins	Kline		

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NAYS.

Mr. Smith

1

The question being on agreeing to the title,

Mr. Anhut moved to amend the title so as to read as follows:

"A bill requiring railroad companies to equip cabooses or waycars with end platforms and platform steps; providing a penalty for the violation of this act; making railroad companies liable for damages caused or resulting from a violation of this act, and making it the duty of the Michigan Railroad Commission to enforce its provisions."

The motion prevailed, and the title of the bill was so amended.

The title of the bill as amended was then agreed to.

House bill No. 138 (file No. 59), entitled

A bill concerning notaries public who are stockholders, directors, officers or employes of banks or other corporations;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Tuttle
Anhut	Fairbanks	Newton	Ward
Barnaby	Foster	Scott	Watkins
Bates	Fowle	Shields	Wetmore
Bolt	Fox	Smith	White
Bradley	Kingman	Snell	Whitney
Collins	Kline		

28

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 98 (file No. 88), entitled

A bill to amend the title and section 1 of Act No. 191 of the Public Acts of 1881, entitled "An act to prohibit railroad companies from carrying on passenger trains any kerosene, benzine, naphtha, gasoline, or any inflammable oil or fluid other than as may be necessary to light or lubricate the cars composing the train on which such oil is carried," the same being section 11522 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Tuttle
Anhut	Fairbanks	Newton	Ward
Barnaby	Foster	Scott	Watkins
Bates	Fowle	Shields	Wetmore
Bolt	Fox	Smith	White
Bradley	Kingman	Snell	Whitney
Collins	Kline	Taylor	

27

NAYS.

0

The title of the bill was agreed to.

Mr. Taylor moved that the Senate adjourn.

The motion prevailed, the time being 5 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FORTY-FIRST DAY.

Lansing, Thursday, March 18.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. O. J. Price, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Bates, Bolt, Bradley, Collins, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Mapes, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Wetmore, White, Whitney—26.

The following Senators were absent with leave: Messrs. Barnaby, Krueger, MacKay, Ming, Weter—5.

The following Senator was absent without leave: Mr. Dickinson—1.

Mr. Moriarty moved that leave of absence be granted to the absentee from today's session.

The motion prevailed.

Mr. White asked and obtained leave of absence for the Committee on Normal School at Kalamazoo, consisting of Senators Aitkin, Collins and White, after 3 o'clock p. m. today and from tomorrow's session.

Messrs. Bradley and Ward asked and obtained leaves of absence for themselves after 3 o'clock p. m. today and from tomorrow's session.

Messrs. Fairbanks, Kingman, Kline, Scott, Snell, Watkins, Wetmore and Whitney asked and obtained leaves of absence for themselves from the sessions of tomorrow and Monday.

Messrs. Anhut, Mapes, Shields and Taylor asked and obtained leaves of absence for themselves from tomorrow's session.

Mr. Watkins asked and obtained leave of absence for Mr. Dickinson from tomorrow's session.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
March 18, 1909.

To the President of the Senate:

Sir:—I have this day approved, signed and deposited in the office of the Secretary of State

Senate bill No. 2 (enrolled No. 5), being

An act to amend sections 1 and 2 of Act No. 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being sections 4639 and 4640 of the Compiled Laws of 1897;

Also:

Senate bill No. 51 (enrolled No. 6), being

An act to provide for the election of a Superintendent of Public Instruction.

Respectfully,
FRED M. WARNER,
Governor.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that

Senate bill No. 181 (file No. 155);

Senate bill No. 182 (file No. 166);

Senate bill No. 183 (file No. 167);

Senate bill No. 184 (file No. 168);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

The Secretary announced that the following bill had been printed and that it was presented to the Governor for approval March 18:

Senate bill No. 51 (file No. 47, enrolled No. 6).

PRESENTATION OF PETITIONS.

No. 386. By Mr. Fairbanks: Petition of J. H. Shultz and 72 other citizens of Manistee in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 387. By Mr. Fox: Petition of L. D. Coffron and 138 other citizens of North Branch on the same subject.

The petition was referred to the Committee on Public Health.

No. 388. By Mr. White: Resolutions of Camp No. 2199, M. W. of A., of Marcellus, protesting against the passage of the proposed minimum rate bill for fraternal insurance societies.

The resolutions were referred to the Committee on Insurance.

No. 389. By Mr. Wetmore: Protest of the Mystic Workers of the World, of Jennings, on the same subject.

The protest was referred to the Committee on Insurance.

No. 390. By Mr. White: Petition of O. D. Snyder and 15 other members of Pearl Grange, of Berrien county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 391. By Mr. Scott: Petition of Emery S. Bird and 55 other members of Harmony Grange No. 1311, of Wayne county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 392. By Mr. White: Petition of O. D. Snyder and 15 other members of Pearl Grange, of Berrien county, in favor of the passage of the Baker bill requiring telephone companies to provide for interchange of service.

The petition was referred to the Committee on Taxation.

No. 393. By Mr. Wetmore: Protest of R. W. McGee and 8 other farmers of Missaukee county against the passage of the Curtiss bill to license vendors of medicines.

The protest was referred to the Committee on Public Health.

No. 394. By Mr. Taylor: Protest of William H. Engel and 10 other citizens of Kalamazoo county on the same subject.

The protest was referred to the Committee on Public Health.

No. 395. By Mr. Shields: Protest of Frank Russell and 35 other citizens of Livingston county on the same subject.

The protest was referred to the Committee on Public Health.

No. 396. By Mr. Fowle: Protest of F. B. Raymond and 13 other business men of Sault Ste. Marie against the passage of the Ogg bill relative to the sale of personal property in installments.

The protest was referred to the Committee on State Affairs.

MOTIONS AND RESOLUTIONS.

Mr. Moriarty moved that when the Senate adjourns today, it stand adjourned until tomorrow at 9 o'clock a. m.

The motion prevailed.

Mr. Moriarty moved that when the Senate adjourns tomorrow it stand adjourned until Monday, March 22, at 9 o'clock p. m.

The motion prevailed.

Mr. Foster offered the following resolution:

Senate resolution No. 74.

Resolved, That the Senate Committee on Education and Public Schools, to which committee was referred the bill providing for the establishment of a Normal School at Alpena and making an appropriation therefor, together with a member of the Senate Committee on Finance and Appropriations, be and hereby is authorized to visit Alpena with the House Committee on Education for the purpose of investigating the conditions and the desirability of locating a Normal School at Alpena.

Mr. Foster moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed, two-thirds of all the Senators present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Kline moved to discharge the committee of the whole from the further consideration of

Senate bill No. 84 (file No. 75), entitled

A bill to punish the making, circulating or transmitting of statements, rumors or suggestions derogatory to the financial condition or standing of a bank;

Also:

Senate bill No. 85 (file No. 76), entitled

A bill to repeal Act No. 205 of the Public Acts of 1877, as amended, entitled "An act to provide for the incorporation of societies for the receiving, loaning and investing of money;

Also:

Senate bill No. 86 (file No. 77), entitled

A bill to repeal Act No. 68 of the Public Acts of 1893, as amended, entitled "An act to provide for the incorporation of supreme, grand and subordinate lodges of the United Home Protectors' Fraternity, a co-operative fraternal building and loan society or order;"

Also:

Senate bill No. 88 (file No. 79), entitled

A bill to repeal sections 41, 42, 60, 63, 65, 66, 68, 69 and 70 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," as amended, the same being sections 6130, 6131, 6149, 6152, 6154 and 6155 of the Compiled Laws of 1897, and Act No. 274 of the Public Acts of 1907;

The motion prevailed.

Mr. Kline moved that the above entitled bills be made a special order for Thursday, March 25.

The motion prevailed.

REPORTS OF STANDING COMMITTEES.

By the Committee on State Affairs:

The Committee on State Affairs reports

House bill No. 8 (file No. 14), entitled

A bill to amend sections 1, 3 and 5 of Act No. 26, Public Acts of 1899, as amended by Act No. 197, Public Acts of 1903, being "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to repeal Act No. 127, Laws of 1879, as amended by Act No. 49 of the Laws of 1881, Act No. 20 of the Laws of 1883, Act No. 71 of the Laws of 1891 and Act No. 94 of the Laws of 1893;"

With the following amendments thereto:

By inserting in line 52 of section 3, after the word "dollars" the following: "or by imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment in the discretion of the court before whom such conviction is had;"

Recommend that the amendments be concurred in, and that when so amended the bill pass.

F. T. NEWTON,

Acting Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Newton moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

House bill No. 10 (file No. 16), entitled

A bill to prohibit the use of petroleum, coal or kerosene oil for illuminating and heating purposes which have been adulterated or which will emit a combustible vapor at a temperature of one hundred twenty or less degrees, Fahrenheit's thermometer, and to repeal Act No. 241 of the Public Acts of 1899, entitled "An act to prohibit the use of products of petroleum for illuminating purposes, which have been adulterated, or which will emit a combustible vapor at a temperature less than one hundred twenty-one degrees Fahrenheit thermometer;"

With the recommendation that the bill pass.

F. T. NEWTON,

Acting Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

House bill No. 9 (file No. 15), entitled

A bill to provide for the regulation of the sale by dealers and the keeping on hand by consumers, of gasoline, benzine, or naphtha;

With the recommendation that the bill pass.

F. T. NEWTON,

Acting Chairman.

The report was accepted and adopted and the committee discharged. The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Liquor Traffic:

The Committee on Liquor Traffic reports

Senate bill No. 44 (file No. 42), entitled

A bill to regulate and license in the townships, villages and cities of this State, in addition to the State tax required for the same, the business of manufacturing, selling, keeping for sale, furnishing, giving or delivering spirituous and intoxicating liquors, and malt, brewed or fermented liquors and vinous liquors and to give the township board of townships and the common council of cities and villages within this State the power to regulate and prescribe the location of saloons in which such business shall be conducted, and to limit and restrict the number of such saloons or places for the sale of spirituous and intoxicating liquors, and malt, brewed or fermented liquors, and vinous liquors within such township, village or city;

Without recommendation.

WALTER R. TAYLOR,
Chairman.

The report was accepted and adopted and the committee discharged. The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Liquor Traffic:

The Committee on Liquor Traffic reports

Senate bill No. 158 (file No. 142), entitled

A bill to provide for the better enforcement of laws regulating, restricting or prohibiting the manufacture or sale of intoxicating liquors as a beverage or the keeping of any place for the manufacture or sale of such liquors by providing for the search for and seizure of any such liquors kept for illicit sale; providing that all packages containing intoxicating liquors shall be so labeled and that it shall be unlawful for common carriers to transport intoxicating liquors under false names; and providing that all sales known as C. O. D. shipments shall be held to be made at the place of destination; and providing that all clubs where intoxicating liquors are kept for the individual use of the members thereof shall be held to be a place where intoxicating liquors are furnished or given away, and defining the term "intoxicating liquors;"

Without recommendation.

WALTER R. TAYLOR,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the bill be made a special order for Wednesday, March 24, at 2:30 o'clock p. m.

The motion prevailed, two-thirds of all the Senators present voting therefor.

By the Committee on Liquor Traffic:

The Committee on Liquor Traffic reports

Senate bill No. 159 (file No. 143), entitled

A bill to amend sections 1, 16 and 25 of Act No. 183 of the Public Acts of 1899, being an act to amend Act No. 207 of the Public Acts of 1889, entitled "An act to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of vinous, malt, brewed, fermented, spirituous or intoxicating liquors or any mixed liquor or beverage any part of which is intoxicating, and to prohibit the keeping of any saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of such liquors or beverages, and to suspend the general laws of the State relative to the taxation and regulation of the manufacture and sale of such liquors in the several counties of this State under certain circumstances; to authorize the qualified electors of the several counties of this State to express their will in regard to such prohibition by an election, and to authorize and empower the boards of supervisors of the several counties, after such election, if they shall determine the result to be in favor of such prohibition, to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of any such liquors, or the keeping of a saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of the same in their respective counties, and to provide for penalties and rights of action in case of its violation;"

Without recommendation.

WALTER R. TAYLOR,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the bill be made a special order for Wednesday, March 24, at 2:30 o'clock p. m.

The motion prevailed, two-thirds of all the Senators present voting therefor.

By the Committee on Liquor Traffic:

The Committee on Liquor Traffic reports

Senate bill No. 160 (file No. 144), entitled

A bill to amend Act No. 170 of the Public Acts of 1903, entitled "An act to amend section 15 of Act No. 183 of the Public Acts of 1899, being an act to amend Act No. 207 of the Public Acts of 1889, entitled 'An act to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of vinous, malt, brewed, fermented, spirituous or intoxicating liquors or any mixed liquor or beverage any part of which is intoxicating, and to prohibit the keeping of any saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of such liquors or beverages, and to suspend the general laws of the State relative to the taxation and regulation of the manufacture and sale of such liquors in the several counties of this State under certain circumstances; to authorize the qualified electors of the several counties of this State to express their will in regard to such prohibition by an election, and to authorize and empower the boards of supervisors of the several counties, after such election, if they shall determine the result to be in favor of such prohibition, to prohibit the manufacture,

sale, keeping for sale, storing for sale, giving away or furnishing of the same in their respective counties, and to provide for penalties and rights of action in case of its violation;”

Without recommendation.

WALTER R. TAYLOR,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the bill be made a special order for Wednesday, March 24, at 2:30 o'clock p. m.

The motion prevailed, two-thirds of all the Senators present voting therefor.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 108 (file No. 98), entitled

A bill to amend section 45 of chapter 84 of the Revised Statutes of 1846, as amended, entitled “Of divorce,” being section 8657 of the Compiled Laws of 1897;

With the following amendments thereto:

1. By amending enacting section 1 to read as follows:—“Section 1. Section 45 of chapter 84 of the Revised Statutes of 1846, entitled ‘Of divorce,’ being section 8657 of the Compiled Laws of 1897, as amended by Act No. 315 of the Public Acts of 1907, is hereby amended to read as follows:”

2. By striking out all of line 14 of section 45 and inserting in lieu thereof the following: “contests or investigate upon the order of the;”

Recommend that the amendments be concurred in, and that when so amended the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 99 (file No. 89), entitled

A bill to amend section 37 of Act No. 183 of the Public Acts of 1897, entitled “An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan,” said section being compiler’s section 399 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 84 (file No. 35), entitled

A bill to punish the making or use of false statements to obtain credit;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 146 (file No. 65), entitled

A bill to amend the title and sections 2, 13, and 26 of Act No. 220 of the Public Acts of 1895, entitled "An act relating to warehousemen and warehouse receipts, and to establish the lien of warehousemen in certain cases," the same being compiler's sections 5031, 5042 and 5055 of the Compiled Laws of 1897, and to add one new section following section 26 to be known as section 27;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Banks and Corporations:

The Committee on Banks and Corporations reports

Senate bill No. 60 (file No. 56), entitled

A bill to amend sections 24 and 27 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking, and to establish a banking department for the supervision of such business," and acts amendatory thereof, being sections 6113 and 6116 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

F. B. KLINE,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Aitkin moved that the bill be made a special order for Thursday, March 25, following the consideration of Senate bills Nos. 84, 85, 86 and 88.

The motion prevailed, two-thirds of all the Senators present voting therefor.

By the Committee on Horticulture:

The Committee on Horticulture reports

Senate bill No. 57 (file No. 53), entitled

A bill to prevent fraud in the sale of Paris green, London purple or other drugs used as insecticides;

With the recommendation that the bill pass.

ERASTUS N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Geological Survey:

The Committee on Geological Survey reports

Senate bill No. 112, entitled

A bill to codify and amend laws relative to the geological survey of the State;

With the accompanying substitute therefor, having the following title:

A bill to repeal Act No. 250 of the Public Acts of 1905, approved June 16, 1905, entitled "An act to provide for a biological survey of the State, making appropriations therefor, and to provide a tax to meet the same," and Act No. 251 of the Public Acts of 1905, approved June 16, 1905, entitled "An act providing for the extension of the work of the State Board of Geological Survey and making an appropriation to meet the expenses thereof, and providing a tax to meet the same," to amend sections 1, 3, 4, 5, 6, 8 and 9 of Act No. 65 of the Session Laws of 1869, approved March 26, 1869, entitled "An act to provide for the further geological survey of the State," as amended, the same being sections 1519, 1520, 1521, 1522, 1523, 1524 and 1525 of the Compiled Laws of 1897; and to add three new sections to said act to be known as sections 10, 11 and 12;

Recommend that the substitute be concurred in, ordered printed, and that the bill as substituted be referred to the Committee on Finance and Appropriations.

CARL E. MAPES,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Mapes moved that the Senate concur in the substitute offered for the bill by the committee.

The motion prevailed.

The bill was then ordered printed and referred to the Committee on Finance and Appropriations.

By the Committee on Supplies and Expenses:

The Committee on Supplies and Expenses reports the following accounts:

Panacea Spring Water Co.	\$ 14 25
Michigan State Telephone Company	36 00
Smith Premier Typewriter Company	7 00
Underwood Typewriter Co.	8 00
Remington Typewriter Co.	6 00
Postal Telegraph-Cable Co.	12 75
G. Fred Bauerle	3 00
H. H. Larned	96
Library Bureau	2 00
Robinson Drug Co.	10 50

D. Glenn	\$ 4 00
Citizens Telephone Co.	1 00
E. V. Chilson, Postage	19 30
The Lansing Laundry Co.	60
Crystal Laundry Co.	9 10
Star Laundry	1 16
M. J. & B. M. Buck	150 00

With the recommendation that the accounts be allowed and orders drawn for the same.

HORACE T. BARNABY,
Chairman.

The report was accepted and adopted and the accounts ordered paid.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House, respectfully to request the return to the House of the following bill:

House bill No. 163 (file No. 85), entitled

A bill to amend section 1 of Act No. 146 of the Public Acts of 1895, entitled "An act to provide for teaching in the public schools the modes by which the dangerous communicable diseases are spread and the best methods for the restriction and prevention of such diseases," approved May 16, 1895, said section being compiler's section 4796 of the Compiled Laws of 1897.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The question being on complying with the request of the House for the return of the above entitled bill,

Mr. Wetmore moved that the message be laid on the table.

The motion prevailed.

The following message from the House was also received and read:

House of Representatives,
March 17, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 155 (file No. 101), entitled

A bill to repeal section 3 of chapter 13 of Act No. 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 4767 of the Compiled Laws of 1897; and to amend sections 1, 3, 5, 6, 7, 8, 9, 10,

11 and 13 of chapter 11, and sections 4, 5 and 8 of chapter 13 of said act, being sections 4752, 4754, 4756, 4757, 4758, 4759, 4760, 4761, 4762, 4764 and sections 4768, 4769 and 4772 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

The following message from the House was also received and read:

House of Representatives,

March 17, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 197 (file No. 104), entitled

A bill in relation to the supervision and control by the State Board of Health over water works systems and providing penalties for the violation of this act;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,

March 17, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 229 (file No. 88), entitled

A bill fixing the salaries of circuit judges;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 18, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 128 (file No. 114), entitled

A bill to amend section 2 of title 19 of an act, entitled "An act to revise the charter of the city of Grand Rapids, including therein also as part of such charter the acts controlling the board of education and the board of library commissioners," approved June 6, 1905, the same being Act No. 593 of the Local Acts of 1905;

And to inform the Senate that the House has amended the same as follows:

1. By inserting between line 6 of section 1 and line 1 of section 2 the word and figures "Title 19."

2. By striking out of line 106 of section 2, after the word "this" the words "amendment, except this section" and inserting in lieu thereof the word "act;"

And that in the passage of the bill, as thus amended, the House has concurred, and has also concurred in ordering the bill to take immediate effect.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the amendments made to the bill by the House,

Mr. Mapes moved that the Senate concur.

The motion prevailed, a majority of the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut
Bates
Bolt
Foster
Fowle

Mr. Fox
Kline
Mapes
Moriarty
Newton

Mr. Scott
Shields
Smith
Snell

Mr. Tuttle
Watkins
Wetmore
Whitney

18

NAYS.

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The bill was then referred to the Secretary for printing and presentation to the Governor.

INTRODUCTION OF BILLS.

Mr. Collins introduced

Senate bill No. 196, entitled

A bill to provide for the protection and increase of the better class of food and game fishes, by catching, or killing and using or destroying their natural enemies.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Fisheries.

Mr. Snell moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Fowle to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee has had under consideration the following:

House bill No. 170 (file No. 62), entitled

A bill to amend section 18 of chapter 36 of the Compiled Laws of 1897, being compiler's section 1036, entitled "Jurisdiction and procedure of justices' courts in criminal cases;"

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

Also:

House bill No. 146 (file No. 65), entitled

A bill to amend the title and sections 2, 13 and 26 of Act No. 220 of the Public Acts of 1895, entitled "An act relating to warehousemen and warehouse receipts, and to establish the lien of warehousemen in certain cases," the same being compiler's sections 5031, 5042 and 5055 of the Compiled Laws of 1897, and to add one new section following section 26 to be known as section 27;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in and recommend that, as amended, the bill pass.

OTTO FOWLE,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first named bill in the report and the bill was placed on the order of third reading of bills.

The Senate concurred in the amendments made to the second named bill in the report and the bill was placed on the order of third reading of bills.

Mr. Wetmore moved that the Senate adjourn.

The motion prevailed, the time being 3:25 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 9 o'clock a. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FORTY-SECOND DAY.

Lansing, Friday, March 19.

9 o'clock a. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Bates, Dickinson, Foster, Fowle, Fox, Moriarty, Newton, Smith, Tuttle—9.

The following Senators were absent with leave: Messrs. Aitkin, Anhut, Barnaby, Bradley, Collins, Fairbanks, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Scott, Shields, Snell, Taylor, Ward, Watkins, Weter, Wetmore, White, Whitney—22.

The following Senator was absent without leave: Mr. Bolt—1.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the President declared the Senate adjourned until Monday, March 22, at 9 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FORTY-THIRD DAY.

Lansing, Monday, March 22.

9 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Bates, Bolt, Bradley, Dickinson, Fairbanks, Foster, Fowle, Fox, Moriarty, Newton, Shields, Smith, Taylor, Tuttle, Ward, Weter—18.

The following Senators were absent with leave: Messrs. Kingman, Kline, Krueger, Ming, Scott, Snell, Watkins, Wetmore, Whitney—9.

The following Senators were absent without leave: Messrs. Barnaby, Collins, MacKay, Mapes, White—5.

Mr. Fairbanks moved that leaves of absence be granted to the absentees from today's session.

The motion prevailed.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that
Reprint of

Senate bill No. 151 (file No. 137);

Senate bill No. 185 (file No. 169);

Senate bill No. 186 (file No. 170);

Senate bill No. 187 (file No. 171);

Senate bill No. 188 (file No. 172);

Senate bill No. 189 (file No. 173);

Senate bill No. 190 (file No. 174);

Senate bill No. 191 (file No. 175);

Senate bill No. 192 (file No. 176);

Senate bill No. 193 (file No. 177);

Senate bill No. 194 (file No. 178);

Senate bill No. 195 (file No. 179);

Senate bill No. 157 (file No. 180);

Senate bill No. 196 (file No. 181);

Substitute for

Senate bill No. 112 (file No. 182);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

The Secretary announced that the following bills had been printed and that they were presented to the Governor for approval March 22:

Senate bill No. 11 (file No. 19, enrolled No. 7);
Senate bill No. 20 (file No. 36, enrolled No. 8);
Senate bill No. 49 (file No. 45, enrolled No. 9);
Senate bill No. 52 (file No. 48, enrolled No. 10);
Senate bill No. 56 (file No. 52, enrolled No. 11);
Senate bill No. 75 (file No. 68, enrolled No. 12);
Senate bill No. 128 (file No. 114, enrolled No. 13).

PRESENTATION OF PETITIONS.

No. 397. By Mr. Fox: Protest of N. Churchill and 21 other farmers of Tuscola county against the passage of the Curtiss bill to license vendors of medicine.

The protest was referred to the Committee on Public Health.

No. 398. By Mr. Fox: Protest of John Hunkins and 5 other farmers of Tuscola county on the same subject.

The protest was referred to the Committee on Public Health.

No. 399. By Mr. Fox: Protest of Neil Martin and 7 other farmers of Lapeer county on the same subject.

The protest was referred to the Committee on Public Health.

No. 400. By Mr. Taylor: Protest of S. H. Carlton and 50 other citizens of Kalamazoo on the same subject.

The protest was referred to the Committee on Public Health.

No. 401. By Mr. Fairbanks: Protest of F. A. Lake and 20 other citizens of Bear Lake on the same subject.

The protest was referred to the Committee on Public Health.

No. 402. By Mr. Bates: Protest of James Myres and 15 other citizens of Allegan county on the same subject.

The protest was referred to the Committee on Public Health.

No. 403. By Mr. Bates: Protest of J. W. Hayward and 16 other citizens of Allegan county on the same subject.

The protest was referred to the Committee on Public Health.

No. 404. By Mr. Newton: Protest of R. G. Smith and 58 other citizens of Ypsilanti on the same subject.

The protest was referred to the Committee on Public Health.

No. 405. By Mr. Shields: Protest of C. E. Stoddard and 59 other citizens of Livingston county on the same subject.

The protest was referred to the Committee on Public Health.

No. 406. By Mr. Fox: Petition of A. G. Forbes and 13 other citizens of Tuscola county urging the abolishment of the office of State Highway Commissioner and the repeal of the present county road law.

The petition was referred to the Committee on Roads and Bridges.

No. 407. By Mr. Fox: Petition of George Hamlin and 17 other citizens of Tuscola county on the same subject.

The petition was referred to the Committee on Roads and Bridges.

No. 408. By Mr. Tuttle: Petition of C. H. Poxson and 8 other members of White Oak Grange No. 241, of Ingham county, in favor of the passage of the Baker bill requiring telephone companies to interchange service.

The petition was referred to the Committee on Taxation.

No. 409. By Mr. Taylor: Petition of Dwight Foster and 42 other members of Montour Grange No. 49, of Kalamazoo county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 410. By Mr. Fowle: Petition of C. L. Perkins and 11 other citizens of Chippewa county on the same subject.

The petition was referred to the Committee on Taxation.

No. 411. By Mr. Ward: Petition of Thomas A. McGregor and 53 other members of Denver Grange No. 1064, of Isabella county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 412. By Mr. Ward: Petition of F. R. Stetson and 53 other members of Denver Grange No. 1064, of Isabella county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 413. By Mr. Tuttle: Petition of C. H. Poxson and 8 other members of White Oak Grange No. 241, of Ingham county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 414. By Mr. Taylor: Petition of Dwight Foster and 42 other members of Montour Grange No. 49, of Kalamazoo county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 415. By Mr. Bates: Petition of Marshall Bugden and 57 other members of East Casco Grange No. 338, of Allegan county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 416. By Mr. Fowle: Petition of C. L. Perkins and 11 other citizens of Chippewa county on the same subject.

The petition was referred to the Committee on Taxation.

No. 417. By Mr. Fox: Petition of H. S. Johnson and 72 other citizens of Caro in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 418. By Mr. Dickinson: Petition of Mrs. C. H. Copsey and 16 other non-voters of Jackson county on the same subject.

The petition was referred to the Committee on Public Health.

No. 419. By Mr. Dickinson: Resolutions of Glass Creek Camp No. 7683, M. W. of A., of Barry county, protesting against the passage of the proposed minimum rate bill for fraternal insurance societies.

The resolutions were referred to the Committee on Insurance.

No. 420. By Mr. Fowle: Resolutions of Camp No. 8571, M. W. of A., of Gould City, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 421. By Mr. Fairbanks: Protest of the Genesee County Medical Society against the passage of the Giles Optometry bill.

The protest was referred to the Committee on Public Health.

No. 422. By Mr. Taylor: Petition of L. N. Welsh and 13 other citizens of Detroit in favor of the passage of the Taylor bill amending the laws relative to child labor.

The petition was referred to the Committee on Labor Interests.

No. 423. By Mr. Fowle: Resolutions of the Board of Supervisors of Schoolcraft county in favor of the establishment of a tuberculosis hospital in the Upper Peninsula.

The resolutions were referred to the Committee on Public Health.

No. 424. By Mr. Tuttle: Petition of 25 members of the Woman's Club of Owosso in favor of the passage of the civil service bill, the child labor bill, certain amendments to the present anti-tuberculosis laws and urging legislation for the preservation of our natural resources.

The petition was referred to the Committee on Public Health.

No. 425. By the President: Petition of W. R. Cargill, Secretary, and 118 other members of the Brotherhood of Railway Trainmen, of St. Clair, endorsing Senate bill No. 90, known as the Ming liability bill.

The petition was referred to the Committee on Railroads.

MOTIONS AND RESOLUTIONS.

Mr. Foster offered the following resolution:

Senate resolution No. 75.

Whereas, Certain representations have been made to the members of the Legislature that the present system of the foreclosure of the lien of the State for unpaid taxes by advertising in the several papers of the State lists of lands delinquent for taxes, results in great expense and loss to the State; therefore be it

Resolved, That the Auditor General is hereby respectfully requested to submit a report based upon the accounts in his office, showing the results of the present system of collecting delinquent taxes, prompted by the subsequent sales, the total expense of such sales and the results, if any, obtained therefrom to the State.

The resolution was adopted.

Senators Kline and White entered the Senate Chamber and took their seats.

Mr. Foster offered the following resolution:

Senate resolution No. 76.

Resolved, That the Commissioner of the State Land Office be and is hereby requested to furnish for the use of the Senate a statement from the records of his office of the total amount of delinquent tax lands that have been deeded to the State by the Auditor General under the provisions of Section 127 of the general tax laws; the number of acres of such lands entered by actual settlers as homesteads; the number of acres deeded to such homesteaders upon the filing of final proof by such homesteaders; the number of acres now standing on the books of his office as held by such homesteaders; the total number of acres of such land sold under the provisions of Act No. 141 of the public acts of 1901; and the total amount of money received as purchase price for such lands; the total amount of money received from the sale of city and village lots; and the approximate total expense of the State land office since the sale of such delinquent tax lands was begun by that office under existing laws, and such information as may be deemed advisable for the fullest information of the Senate upon the matter of the disposition of this class of land.

The question being on the adoption of the resolution,

Mr. Tuttle moved to amend the resolution by adding thereto the following: "and further, the present average appraised value of the different lands now held in his department, giving the number of acres to which the average applies in each specified class."

On which motion he demanded the yeas and nays.

The amendment was then adopted, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Anhut
Bates
Bolt

Mr. Bradley
Dickinson
Foster

Mr. Fowle
Fox
Shields

Mr. Tuttle
Ward
Weter

13

NAYS.

Mr. Fairbanks
Moriarty

Mr. Newton

Mr. Smith

Mr. Taylor

5

The question being on the adoption of the resolution, as amended,
The resolution was then adopted.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 19, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 77.

Whereas, The Legislature of 1907 provided by the passage of Act No. 188 of the Public Acts of 1907 for the appointment of a Commission of Inquiry to make an investigation relative to the tax lands and forestry interests of the State, and to submit to the Legislature of 1909 a report setting forth a comprehensive plan for the protection, improvement, utilization and settlement of the delinquent State tax lands, now owned or that may hereafter be acquired, and for the better and more economical administration of the affairs of the State connected therewith and with other denuded waste or forest lands, to the end that henceforth a consistent and complete policy may be pursued in reference thereto; and

Whereas, Under said act a Commission, consisting of Messrs. R. D. Graham of Grand Rapids, C. V. R. Townsend of Negaunee, Carl E. Schmidt of Detroit, Francis King of Alma, A. E. Palmer of Kalamazoo, Geo. B. Horton of Fruit Ridge, D. B. Waldo of Kalamazoo, A. B. Cook of Owosso and W. E. Osmun of Montague, was appointed by the Governor of the State; and

Whereas, Such Commission has made a most thorough and comprehensive investigation of the subject assigned to it, and has made a very complete report of its findings in the matter, together with recommendations of proposed legislation for the consideration of this Legislature; therefore

Resolved by the House (the Senate concurring), That we, realizing the magnitude of the task involved, the great value of the work of the

Commission to the people of the State, and the public-spiritedness of the members of the Commission in devoting so much of their time, without any compensation, to the work given them to do, take this occasion as representatives of the people of the whole State to express our sense of appreciation and to extend the thanks of the people of Michigan to each member for his careful, faithful and conscientious work.

Resolved further, That a suitably engrossed copy of this resolution be presented to each member of the Commission;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution. Mr. Foster moved that further consideration of the resolution be indefinitely postponed,

On which motion Mr. Tuttle demanded the yeas and nays.

The motion made by Mr. Foster then did not prevail, a majority of all the Senators-elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Bolt	Mr. Foster	Mr. Moriarty	Mr. Ward
Dickinson	Fox	Newton	Weter
Fairbanks	Kline		

10

NAYS.

Mr. Aitkin	Mr. Bradley	Mr. Smith	Mr. Tuttle
Anhut	Fowle	Taylor	White
Bates	Shields		

10

The question then being on the adoption of the resolution.

The resolution was then referred to the Committee on Finance and Appropriations.

The following message from the House was also received and read:

House of Representatives,
March 18, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to inform the Senate that the House has acceded to the request of the Senate for the appointment of a Committee of Conference to consider the matter of difference existing between the House and Senate relative to

House bill No. 3 (file No. 5), entitled

A bill to amend section 1 of Act No. 111 of the Public Acts of 1889, entitled "An act to protect fish and to regulate fishing in the waters of this State by providing closed seasons for certain kinds of fish, by prohibiting the catching of fish in certain specified ways, by prohibiting the catching of fish of certain sizes and in certain waters and for certain

purposes, by prohibiting the catching and killing, in the lakes, rivers and streams of this State, of more than a certain number of certain specified kinds of fish in any one day, by prohibiting the taking away and having possession of more than a certain number of such fish at any point away therefrom, by prohibiting the obstruction of the free passage of fish and by prohibiting the sale of certain kinds of fish, to protect persons engaged in fish culture and to repeal inconsistent acts," as amended, being section No. 5861 of the Compiled Laws of 1897;

And that the Speaker has appointed Messrs. Woodruff, Pearson and Baker as members of the Committee of Conference on the part of the House.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The President appointed as the Committee of Conference on the part of the Senate, Senators Ming, Watkins and Fowle.

INTRODUCTION OF BILLS.

Mr. Aitkin introduced

Senate bill No. 197, entitled

A bill to provide for uniform and free text books by counties in the public schools of this State.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Aitkin moved that 1000 extra copies of the above entitled bill be printed for the use of the Committee.

The motion prevailed.

Mr. Fowle introduced

Senate bill No. 198, entitled

A bill to amend section 20 of Act No. 119 of the Public Acts of 1893, entitled "An act to define what shall constitute fraternal beneficiary societies, orders or associations, to provide for their incorporation and the regulation of their business and for the punishment for the violation of the provisions of the act of their incorporation, and to repeal all existing acts inconsistent therewith," being section 7759 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Insurance.

Mr. Fowle introduced

Senate bill No. 199, entitled

A bill to establish a State Sanatorium in some suitable locality in the Upper Peninsula of this State for the care and treatment of persons having tuberculosis and making appropriations therefor, and to provide a tax to meet the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Public Health.

Mr. Fowle introduced

Senate bill No. 200, entitled

A bill to amend sections 5 and 17 of Act No. 312 of the Public Acts of 1907, entitled "An act to regulate railroads and the transportation of persons and property in this State, prevent the imposition of unreasonable rates, prevent unjust discrimination, insure adequate service, create the Michigan Railroad Commission, define the powers and duties thereof, and to prescribe penalties for violations hereof."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Railroads.

Mr. Anhut introduced

Senate bill No. 201, entitled

A bill designating the twelfth day of October of each year as a public holiday to be known as Columbus Day.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Moriarty moved that the Senate take up the order of Third Reading of Bills.

The motion prevailed, two-thirds of all the Senators present voting therefor.

THIRD READING OF BILLS.

House bill No. 146 (file No. 65), entitled

A bill to amend the title and sections 2, 13 and 26 of Act No. 220 of the Public Acts of 1895, entitled "An act relating to warehousemen and warehouse receipts and to establish the lien of warehousemen in certain cases," the same being compiler's sections 5031, 5042 and 5055 of the Compiled Laws of 1897, and to add one new section following section 26 to be known as section 27;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Kline	Mr. Taylor
Anhut	Fairbanks	Moriarty	Tuttle
Bates	Foster	Newton	Ward
Bolt	Fowle	Shields	Weter
Bradley	Fox	Smith	White

NAYS.

The title of the bill was agreed to.

House bill No. 170 (file No. 62), entitled

A bill to amend section 18 of chapter 36 of the Compiled Laws of 1897, being Compiler's section 1036, entitled "Jurisdiction and procedure of justices' courts in criminal cases;"

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Kline	Mr. Taylor	
Anhut	Fairbanks	Newton	Ward	
Bates	Foster	Shields	Weter	
Bolt	Fowle	Smith	White	
Bradley	Fox			18

NAYS.

Mr. Moriarty	Mr. Tuttle	2
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The title of the bill was agreed to.

Mr. Anhut moved that the Senate adjourn.

The motion did not prevail, the time being 9:50 o'clock p. m.

Senate bill No. 168 (file No. 151), entitled

A bill to amend section 20 of Act No. 119 of the Public Acts of 1893, entitled "An act to define what shall constitute fraternal beneficiary societies, orders or associations, to provide for their incorporation and the regulation of their business, and for the punishment for violation of the provisions of the act of their incorporation, and to repeal all existing acts inconsistent therewith;"

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Kline	Mr. Taylor	
Anhut	Fairbanks	Moriarty	Tuttle	
Bates	Foster	Newton	Ward	
Bolt	Fowle	Shields	Weter	
Bradley	Fox	Smith	White	
				20

NAYS.

0

The question being on agreeing to the title.

Mr. Taylor moved to amend the title so as to read as follows:

A bill to amend section 20 of Act No. 119 of the Public Acts of 1893, entitled "An act to define what shall constitute fraternal beneficiary societies, orders or associations, to provide for their incorporation and the regulation of their business, and for the punishment for violation of the provisions of the act of their incorporation, and to repeal all existing acts inconsistent therewith," being section 7759 of the Compiled Laws of 1897.

The motion prevailed, and the title of the bill was so amended.

The title of the bill as amended, was then agreed to.

Mr. Kline moved that the Senate adjourn.

The motion prevailed, the time being 10 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FORTY-FOURTH DAY.

Lansing, Tuesday, March 23.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, MacKay, Mapes, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Ward, Watkins, Weter, Wetmore, White, Whitney—29.

The following Senators were absent with leave: Messrs. Krueger, Ming—2.

The following Senator was absent without leave: Mr. Tuttle—1.

Mr. Moriarty moved that leave of absence be granted to the absentee from today's session and from the remaining sessions of this week.

The motion prevailed.

MESSAGES FROM THE GOVERNOR.

The following message from the Governor was received and read:

Executive Office, Lansing,
March 23, 1909.

To the President of the Senate:

Sir:—Pursuant to the provisions of the Constitution of this State, I have the honor to submit herewith a statement showing the number of pardons and commutations issued during the two preceding terms of my administration.

On account of the nature and magnitude of the subject, it would be impracticable to undertake to give information in detail regarding each case, but I transmit herewith for the purpose of filing, a summary of the cases.

In no instance has action been taken until an investigation has been made by the Advisory Board in the Matter of Pardons and their recommendation submitted. Records containing complete information in each case, including the opinion of the Board upon which action was based, and all papers appertaining to the same, are on file in my office and will be open to your inspection at any time:

For the term ending December 31, 1906:—

Number of commutations from parole	9
Number of commutations and parole	2
Number commutations of minimum	3
Number terminating commutations	20

For the term ending December 31, 1908:—

Number of commutations from parole	7
Number commutations and parole	1
Number commutations of minimum	21
Number terminating commutations	5
Number conditional pardons	1

Very respectfully,

FRED M. WARNER,
Governor.

PRESENTATION OF PETITIONS.

No. 426. By Mr. Wetmore: Petition of Lambert DeVries and 8 other members of Maple Hill Grange No. 691, of Antrim county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 427. By Mr. Dickinson: Petition of N. E. Fisher and 23 other members of Olivet Grange No. 359, of Eaton county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 428. By Mr. Foster: Petition of George W. Miller and 29 other members of Richland Grange No. 1154, of Missaukee county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 429. By Mr. Collins: Petition of Ezra Truax and 5 other members of Bentley Grange No. 822, of Bay county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 430. By Mr. White: Petition of John W. Rine and 9 other members of Union Grange No. 960, of Cass county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 431. By Mr. White: Petition of C. F. Wells and 13 other members of Goldenrod Grange No. 1303, of Cass county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 432. By Mr. White: Petition of R. F. Taber and 36 other members of Twelve Corners Grange No. 700, of Berrien county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 433. By Mr. Bolt: Petition of Solon S. Pull and 19 other members of Nunica Grange No. 1329, of Ottawa county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 434. By Mr. Barnaby: Petition of C. E. Chapman and 20 other members of Sparta Grange No. 340 of Kent county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 435. By Mr. Barnaby: Petition of L. R. Vanderstel and 9 other members of Paris Grange No. 19, of Kent county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 436. By Mr. Fairbanks: Petition of E. B. Griffes and 13 other members of Elk Grange No. 1020, of Lake county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 437. By Mr. Wetmore: Petition of Lambert DeVries and 8 other members of Maple Hill Grange No. 691, of Antrim county, in favor of the passage of the Baker bill requiring telephone companies to interchange service.

The petition was referred to the Committee on Taxation.

No. 438. By Mr. Foster: Petition of H. L. Dorrence and 56 other members of Richland Grange No. 1154, of Missaukee county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 439. By Mr. White: Petition of C. F. Wells and 13 other members of Goldenrod Grange No. 1303, of Cass county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 440. By Mr. White: Petition of R. F. Taber and 36 other members of Twelve Corners Grange No. 700, of Berrien county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 441. By Mr. Barnaby: Petition of Otis J. Littlefield and 17 other members of Success Grange No. 947, of Kent county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 442. By Mr. Collins: Petition of William Peoples and 5 other members of Beavertown Grange No. 778, of Bay county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 443. By Mr. Taylor: Petition of Emma Cobb and 10 other members of the Twentieth Century Club, of Kalamazoo, in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 444. By Mr. Ward: Petition of H. Eugene Price and 95 other citizens of Gratiot county on the same subject.

The petition was referred to the Committee on Public Health.

No. 445. By Mr. Collins: Petition of L. G. Willcox and 277 other citizens of Bay City on the same subject.

The petition was referred to the Committee on Public Health.

No. 446. By Mr. Newton: Protest of P. W. Carpenter and 59 other citizens of Ypsilanti against the passage of the Curtiss bill to license vendors of medicine.

The protest was referred to the Committee on Taxation.

No. 447. By Mr. White: Protest of George H. Swift and 14 other citizens of Berrien county on the same subject.

The protest was referred to the Committee on Public Health.

No. 448. By Mr. Dickinson: Protest of Chester Beach and 14 other citizens of Barry county on the same subject.

The protest was referred to the Committee on Public Health.

No. 449. By Mr. Taylor: Protest of Edward Greensides and 19 other citizens of Constantine on the same subject.

The protest was referred to the Committee on Public Health.

No. 450. By Mr. Wetmore: Protest of Mortimer G. Lewis and 14 other citizens of Missaukee county on the same subject.

The protest was referred to the Committee on Public Health.

No. 451. By Mr. Wetmore: Protest of Wallace Parker and 14 other citizens of Missaukee county on the same subject.

The protest was referred to the Committee on Public Health.

No. 452. By Mr. Scott: Petition of William Zoeller and 40 other citizens of Detroit, in favor of the passage of the Ming liability bill,

The petition was referred to the Committee on Railroads.

No. 453. By Mr. Anhut: Petition of L. W. Park and 22 other citizens of Wayne county on the same subject.

The petition was referred to the Committee on Railroads.

No. 454. By Mr. Kingman: Petition of S. O. John and 124 other citizens of Michigan, urging the enactment by the present Legislature of an anti-tuberculosis law modeled after the New York law.

The petition was referred to the Committee on Public Health.

MOTIONS AND RESOLUTIONS.

Mr. Mapes offered the following resolution:

Senate resolution No. 77.

Whereas, Announcement has been made of the death of the Right Reverend George de Normandie Gillespie of Grand Rapids, for nearly fifty years a citizen of this State and who for thirty years served as a member and as President of the State Board of Corrections and Charities and contributed in a marked degree such public-spirited services to the State as to gain an enviable reputation for said board; and

Whereas, We realize that the State has lost a valuable, public-spirited citizen, who, while serving his church in the Western Michigan diocese with distinguished ability, was equally loyal and devoted to his duties as a citizen, and one whose voice and influence was ever on the side of right and justice; therefore be it

Resolved by the Senate (the House of Representatives concurring), That we have learned of the death of this most excellent citizen and faithful public servant with deep regret; and be it further

Resolved, That a suitably engrossed copy of these resolutions be presented to the family of the deceased.

The resolutions were adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations reports

Senate bill No. 24 (file No. 21), entitled

A bill making an appropriation for the Michigan State Prison for the fiscal year ending June 30, 1910, for the purpose of completing heating, lighting and power system, and to provide a tax to meet the same;

With the recommendation that the bill pass.

ERASTUS N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 22, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bills Nos. 119 and 231 (file No. 112), entitled

A bill to revise the law relative to the care of the feeble-minded and epileptic;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Home for Feeble Minded.

The following message from the House was also received and read :

House of Representatives,
March 22, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 39 (file No. 116), entitled

A bill to provide for election of members of the State Board of Agriculture;

And to inform the Senate that the bill has passed the House and has been ordered to take immediate effect.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Elections.

The following message from the House was also received and read :

House of Representatives,
March 22, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 148 (file No. 105), entitled

A bill to require a stamp or label on every ball of binder twine sold, exposed or offered for sale within this State, and providing a penalty for the violation thereof;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Agricultural Interests.

The following message from the House was also received and read:

House of Representatives,
March 22, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 269 (file No. 108), entitled

A bill to amend section 1 of Act No. 259 of the Public Acts of 1907, entitled "An act relating to the salaries of officers and agents of life insurance companies;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Insurance.

The following message from the House was also received and read:

House of Representatives,
March 22, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 266 (file No. 110), entitled

A bill to amend sections 33 and 34 of chapter 102 of the Revised Statutes of 1846, entitled "Of evidence," being compiler's sections 10144 and 10145 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 22, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 150 (file No. 136), entitled

A bill giving the assent of the Legislature of the State of Michigan to the grant of moneys from the United States by act of Congress, ap-

proved March 16, 1906, being an act to provide for an increased annual appropriation for agricultural experimental stations and regulating the expenditure thereof;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

INTRODUCTION OF BILLS.

Mr. MacKay introduced

Senate bill No. 202, entitled

A bill to amend Act No. 40 of the Public Acts of 1899, entitled "An act to revise the laws providing for the incorporation of Protestant Episcopal churches," by adding a section thereto to stand as section 13.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Religious and Benevolent Societies.

Mr. MacKay introduced

Senate bill No. 203, entitled

A bill to regulate the practice in circuit courts.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Taylor introduced

Senate bill No. 204, entitled

A bill to amend Act No. 206 of the Public Acts of 1893, being "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased and to repeal Act No. 200 of the Public Acts of 1891 and all other acts and parts of acts in anywise contravening any of the provisions of this act," by adding thereto a new section to stand as section 33a.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. Snell introduced

Senate bill No. 205, entitled

A bill to prohibit the manufacture and sale of certain kinds of matches.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Snell introduced

Senate bill No. 206, entitled

A bill to provide for the safe-keeping of matches in stores.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Weter introduced

Senate bill No. 207, entitled

A bill to amend section 9 of chapter 93 of the Revised Statutes of 1846, entitled "Of courts held by justices of the peace," being section 711 of the Compiled Laws of 1897, as amended by Act No. 224 of the Public Acts of 1907.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Aitkin asked and obtained leave of absence for himself from to-day's session after 4 o'clock p. m.

The President announced that because of a previously made business engagement he would be compelled to be absent from today's session after 3 o'clock p. m., and designated Senator Smith as Acting President during his absence.

Mr. Fox moved that the Senate resolve itself into the Committee of the Whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Watkins to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

House bill No. 84 (file No. 35), entitled

A bill to punish the making or use of false statements to obtain credit;

Also:

Senate bill No. 99 (file No. 89), entitled

A bill to amend section 37 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," said section being compiler's section 399 of the Compiled Laws of 1897;

Also:

Senate bill No. 108 (file No. 98), entitled

A bill to amend section 45 of chapter 84 of the Revised Statutes of 1846, as amended, entitled "Of divorce," being section 8657 of the Compiled Laws of 1897;

Also:

Senate bill No. 157 (file No. 180), entitled

A bill authorizing the Commissioner of the State Land Office to sell sites to school districts, churches and cemetery associations from lands held by the State as tax homestead lands;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate bill No. 57 (file No. 53), entitled

A bill to prevent fraud in the sale of Paris green, London purple or other drugs used as insecticides;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking concurrence therein, and with the recommendation that the bill be re-referred to the Committee on Horticulture.

Also:

House bill No. 8 (file No. 14), entitled

A bill to amend sections 1, 3, 5 and 6 of Act No. 26, Public Acts of 1899, as amended by Act No. 197, Public Acts of 1903, being "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to repeal Act No. 127, Laws of 1879, as amended by Act No. 49 of the Laws of 1881, Act No. 20 of the Laws of 1883, Act No. 71 of the Laws of 1891, and Act No. 94 of the Laws of 1893;"

Also:

House bill No. 9 (file No. 15), entitled

A bill to provide for the regulation of the sale by dealers and the keeping on hand by consumers, of gasoline, benzine or naphtha, and to repeal Act 181 of the Public Acts of 1899, and Act 178 of the Public Acts of 1907;

Also:

House bill No. 10 (file No. 16), entitled

A bill to prohibit the use of petroleum, coal or kerosene oil for illuminating and heating purposes which have been adulterated or which will emit a combustible vapor at a temperature of one hundred twenty or less degrees, Fahrenheit's thermometer, and to repeal Act 241 of the Public Acts of 1899, entitled "An act to prohibit the use of products of petroleum for illuminating purposes, which have been adulterated, or which will emit a combustible vapor at a temperature less than one hundred twenty-one degrees Fahrenheit thermometer;"

And has directed its chairman to report the same back to the Senate, with the recommendation that the bills be re-referred to the Committee on State Affairs.

L. WHITNEY WATKINS,
Chairman.

The report was accepted.

The Acting President took the chair.

The Senate concurred in the recommendation of the committee of the whole regarding the first, second, third and fourth named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendments and in the recommendation of the committee regarding the fifth named bill in the report and the bill was re-referred to the Committee on Horticulture.

The Senate concurred in the recommendation of the committee regarding the sixth, seventh and eighth named bills in the report and the bills were re-referred to the Committee on State Affairs.

THIRD READING OF BILLS.

House bill No. 84 (file No. 35), entitled

A bill to punish the making or use of false statements to obtain credit;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Ward
Anhut	Foster	Moriarty	Watkins
Barnaby	Fowle	Newton	Weter
Bates	Fox	Scott	Wetmore
Bolt	Kingman	Shields	White
Bradley	Kline	Snell	Whitney
Collins	MacKay	Taylor	Acting President
Dickinson			

29

NAYS.

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The title of the bill was agreed to.

Senate bill No. 99 (file No. 89), entitled

A bill to amend section 37 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," said section being compiler's section 399 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Ward
Anhut	Foster	Moriarty	Watkins
Barnaby	Fowle	Newton	Weter
Bates	Fox	Scott	Wetmore
Bolt	Kingman	Shields	White
Bradley	Kline	Snell	Whitney
Collins	MacKay	Taylor	Acting President
			28

NAYS.

The title of the bill was agreed to.

Senate bill No. 108 (file No. 98), entitled

A bill to amend section 45 of chapter 84 of the Revised Statutes of 1846, as amended, entitled "Of divorce," being section 8657 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Ward
Anhut	Foster	Moriarty	Watkins
Barnaby	Fowle	Newton	Weter
Bates	Fox	Scott	Wetmore
Bolt	Kingman	Shields	White
Bradley	Kline	Snell	Whitney
Collins	MacKay	Taylor	Acting President
Dickinson			29

NAYS.

The question being on agreeing to the title,

Mr. Fowle moved to amend the title so as to read as follows:

"A bill to amend section 45 of chapter 84 of the Revised Statutes of 1846, entitled "Of Divorce," being section 8657 of the Compiled Laws of 1897, as amended by Act No. 315 of the Public Acts of 1907."

The motion prevailed, and the title of the bill was so amended.

The title of the bill as amended, was then agreed to.

Senate bill No. 157 (file No. 180), entitled

A bill authorizing the Commissioner of the State Land Office to sell sites to school districts, churches and cemetery associations from lands held by the State as tax homestead lands;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Ward
Anhut	Foster	Moriarty	Watkins
Barnaby	Fowle	Newton	Weter
Bates	Fox	Scott	Wetmore
Bolt	Kingman	Shields	White
Bradley	Kline	Snell	Whitney
Collins	MacKay	Taylor	Acting President
Dickinson			29

NAYS.

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The title of the bill was agreed to.

Mr. White moved that the Senate take a recess until 4 o'clock p. m. The motion prevailed, the time being 3:15 o'clock p. m.

AFTER RECESS.

4 o'clock p. m.

The Senate was called to order by the Acting President.
A quorum of the Senate was present.

Mr. Wetmore moved that the Senate adjourn.
The motion prevailed, the time being 4:05 o'clock p. m.
The Acting President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FORTY-FIFTH DAY.

Lansing, Wednesday, March 24.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. Jonathan A. Sprague, of Kalamazoo.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Ward, Watkins, Weter, Wetmore, White, Whitney—30.

The following Senators were absent with leave: Messrs. Krueger, Tuttle—2.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
March 24, 1909.

To the President of the Senate:

Sir:—I hereby submit the following nomination for the consideration of the Senate:

R. G. Ferguson, of Sault Ste. Marie, Chippewa county, as member of the board of trustees of the Upper Peninsula Hospital for the Insane, for the term of six years, beginning April 16, 1909, and ending the second Monday in February, 1915.

Very respectfully,
FRED M. WARNER,
Governor.

The message was referred to the Committee on Executive Business.

Executive Office, Lansing,
March 24, 1909.

To the President of the Senate:

Sir:—I have this day approved, signed and deposited in the office of the Secretary of State

Senate bill No. 11 (enrolled No. 7), being

An act to amend section 5 of chapter 108 of the Revised Statutes of

1846, entitled "The action of ejectment," being compiler's section 10951 of the Compiled Laws of 1897;

Also:

Senate bill No. 49 (enrolled No. 9), being

An act to amend section 2 of act No. 222 of the Public Acts of 1895, entitled "An act to provide for the appointment of a board of commissioners who shall have the management and control of the Mackinac Island State Park, and defining its powers and duties," being section 1258 of the Compiled Laws of 1897;

Also:

Senate bill No. 52 (enrolled No. 10), being

An act to amend section 7 of chapter 12 of the Revised Statutes of 1846, as amended, the same being compiler's section 77 of chapter 11 of the Compiled Laws of 1897, as amended, entitled "The State Treasurer;"

Also:

Senate bill No. 56 (enrolled No. 11), being

An act to provide for the publication, distribution and preservation of the manual of the Michigan Constitutional Convention of 1907; and prescribing the duties of the State Librarian appertaining thereto;

Also:

Senate bill No. 75 (enrolled No. 12), being

An act to prohibit the bringing into prisons of all weapons, or other implements which may be used to injure any convict or person or in assisting any convict to escape from punishment, or the selling or furnishing of same to convicts; to prohibit the bringing into prisons of all spirituous or fermented liquors, drugs, medicines, poisons, opium, morphine or any other kind or character of narcotics, or the giving, selling or furnishing of spirituous or fermented liquors, drugs, medicines, poisons, opium, morphine or any other kind or character of narcotics to convicts or paroled prisoners and providing a penalty for the violation hereof;

Also:

Senate bill No. 128 (enrolled No. 13), being

An act to amend section 2 of title 19 of an act, entitled "An act to revise the charter of the city of Grand Rapids, including therein also as part of such charter, the acts controlling the board of education and the board of library commissioners," approved June 6, 1905, the same being Act No. 593 of the Local Acts of 1905.

Respectfully,

FRED M. WARNER,
Governor.

PRESENTATION OF PETITIONS.

No. 455. By Mr. Watkins: Protest of L. B. Benton and 8 other citizens of Jackson county against the passage of the Ormsbee bills.

The protest was referred to the Committee on Liquor Traffic.

No. 456. By Mr. Watkins: Protest of James Wolfinger and 29 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 457. By Mr. Watkins: Protest of Eugene B. Miller and 13 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 458. By Mr. Watkins: Protest of James A. Porter and 8 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 459. By Mr. Watkins: Protest of M. G. Every and 37 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 460. By Mr. Watkins: Protest of J. C. Stephenson and 13 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 461. By Mr. Watkins: Protest of E. A. Harrington and 27 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 462. By Mr. Watkins: Protest of Burt C. Cole and 9 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 463. By Mr. Watkins: Protest of George C. Frank and 6 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 464. By Mr. Watkins: Protest of E. E. Stone and 7 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 465. By Mr. Watkins: Protest of J. D. Reed and 43 other citizens of Jackson county on the same subject.

The protest was referred to the Committee on Liquor Traffic.

No. 466. By Mr. Ming: Petition of Orville McDonald and 22 other members of Bliss Grange No. 1143, of Emmet county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 467. By Mr. Dickinson: Petition of W. H. Otis and 10 other members of Glass Creek Grange No. 425, of Barry county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 468. By Mr. Fairbanks: Petition of E. D. Holmes and 31 other members of Mason Grange No. 415, of Mason county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 469. By Mr. Ward: Petition of W. N. Baldwin and 13 other members of Sumner Grange No. 893, of Gratiot county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 470. By Mr. Barnaby: Petition of Carl W. Darling and 11 other members of Paris Grange No. 19, of Kent county, in favor of the passage of the Baker bill requiring telephone companies to interchange service.

The petition was referred to the Committee on Taxation.

No. 471. By Mr. Dickinson: Petition of W. H. Otis and 15 other members of Glass Creek Grange No. 425, of Barry county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 472. By Mr. Fairbanks: Petition of E. D. Holmes and 31 other members of Mason Grange No. 415, of Mason county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 473. By Mr. Ming: Petition of Orville McDonald and 28 other members of Bliss Grange No. 1143, of Emmet county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 474. By Mr. Bradley: Protest of W. E. Kingman and 9 other citizens of Ionia county against the passage of the Curtiss bill to license vendors of medicine.

The protest was referred to the Committee on Public Health.

No. 475. By Mr. Bradley: Protest of A. A. Merritt and 9 other citizens of Ionia county on the same subject.

The protest was referred to the Committee on Public Health.

No. 476. By Mr. Bradley: Protest of Walter L. Shepard and 5 other citizens of Ionia county on the same subject.

The protest was referred to the Committee on Public Health.

No. 477. By Mr. Bradley: Protest of Charles Miles and 6 other citizens of Ionia county on the same subject.

The protest was referred to the Committee on Public Health.

No. 478. By Mr. Kingman: Protest of Roy Kurtz and 11 other citizens of Calhoun county on the same subject.

The protest was referred to the Committee on Public Health.

No. 479. By Mr. Kingman: Protest of A. J. Gleason and 12 other citizens of Calhoun county on the same subject.

The protest was referred to the Committee on Public Health.

No. 480. By Mr. Watkins: Protest of J. W. Shepherd and 8 other citizens of Hillsdale county on the same subject.

The protest was referred to the Committee on Public Health.

No. 481. By Mr. Fox: Protest of A. G. Purdy and 10 other citizens of Tuscola county on the same subject.

The protest was referred to the Committee on Public Health.

No. 482. By Mr. Snell: Protest of Carl Peters and 18 other citizens of Wayne county on the same subject.

The protest was referred to the Committee on Public Health.

No. 483. By Mr. Ward: Protest of Allen Lindsay and 46 other citizens of Gratiot county on the same subject.

The protest was referred to the Committee on Public Health.

No. 484. By Mr. Newton: Protest of M. M. Read and 99 other citizens of Ypsilanti and Ann Arbor on the same subject.

The protest was referred to the Committee on Public Health.

No. 485. By Mr. Bradley: Protest of Christian Anderson and 38 other members of Camp No. 5813, M. W. of A., of Gowen, against the passage of the proposed minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 486. By Mr. Bradley: Protest of the Mystic Workers of the World, of Sheridan, on the same subject.

The protest was referred to the Committee on Insurance.

No. 487. By Mr. Watkins: Protest of Grass Lake Camp No. 8815, M. W. of A., of Grass Lake, on the same subject.

The protest was referred to the Committee on Insurance.

No. 488. By Mr. Fairbanks: Protest of Bristol Camp No. 5372, M. W. of A., of Bristol, on the same subject.

The protest was referred to the Committee on Insurance.

No. 489. By Mr. Bolt: Protest of E. S. Yale and 33 other members of Lodge No. 637 of the Mystic Workers of the World, of Muskegon, on the same subject.

The protest was referred to the Committee on Insurance.

No. 490. By Mr. Ming: Petition of Charles Girard and 40 other members of Houghton Lodge, B. of R. T., in favor of the passage of the Ming liability bill.

The petition was referred to the Committee on Railroads.

No. 491. By Mr. Ming: Petition of J. L. Ludlow and 40 other members of St. Clair Lodge No. 241, B. of R. T., of Port Huron, on the same subject.

The petition was referred to the Committee on Railroads.

No. 492. By Mr. Mapes: Petition of A. E. Day and 25 other members of Valley City Lodge No. 180, B. of R. T., of Grand Rapids, on the same subject.

The petition was referred to the Committee on Railroads.

No. 493. By Mr. Fowle: Petition of H. E. Hite and 28 other members of Good Will Lodge No. 103, B. of R. T., of Gladstone, on the same subject.

The petition was referred to the Committee on Railroads.

No. 494. By Mr. Scott: Petition of Joseph Schlass and 43 other citizens of Detroit on the same subject.

The petition was referred to the Committee on Railroads.

No. 495. By Mr. Watkins: Resolutions of the Board of Supervisors of Hillsdale county asking for the repeal of Act No. 146 of the Public Acts of 1905, creating the office of State Highway Commissioner.

The resolutions were referred to the Committee on Roads and Bridges.

No. 496. By Mr. Watkins: Petition of W. H. Miller and 56 other passenger conductors running in and out of Jackson in favor of the passage of the excess fare bill.

The petition was referred to the Committee on Railroads.

No. 497. By Mr. Bradley: Protest of C. W. Vining and 47 other citizens of Montcalm county against the passage of Senate bill No. 145, relative to certain amendments to the fish laws.

The protest was referred to the Committee on Fisheries.

MOTIONS AND RESOLUTIONS.

Mr. Scott moved to discharge the committee of the whole from the further consideration of

Senate bill No. 44 (file No. 42), entitled

A bill to regulate and license in the townships, villages and cities of this State in addition to the State tax required for the same, the business of manufacturing, selling, keeping for sale, furnishing, giving or delivering spirituous and intoxicating liquors, and malt, brewed or fermented

liquors and vinous liquors, and to give the township board of townships and the common council of cities and villages within this State the power to regulate and prescribe the location of saloons in which such business shall be conducted, and to limit and restrict the number of such saloons or places for the sale of spirituous and intoxicating liquors, and malt, brewed or fermented liquors and vinous liquors, within such township, village or city.

The motion prevailed.

Mr. Scott moved that the bill be re-referred to the Committee on Liquor Traffic.

The motion prevailed.

Mr. Moriarty offered the following resolution:

Senate resolution No. 78.

Whereas, There is at present, and has been since November, 1907, a great depression in the iron ore market, which has resulted in practically closing the iron mines of Michigan, and

Whereas, The operators of the iron mines will gladly operate their mines, if they can do so without absolute loss, and are at present employing a small force of married men so that men with families may be able to buy the necessaries of life for their families, and

Whereas, If the duty is removed from iron ore and the ores of foreign countries are admitted free into the United States the loss will fall upon the men now engaged in iron mining, therefore be it

Resolved by the Senate (the House of Representatives concurring), That all members of Congress from this State, and also our United States Senators, are respectfully requested to use all honorable means to have the tariff or duty on iron ore maintained as at present, and be it further

Resolved, That the Secretary of the Senate be instructed to forward to each member of Congress and each United States Senator from Michigan, a copy of these resolutions.

The question being on the adoption of the resolutions,

Mr. Kingman moved that the resolutions be laid on the table.

The motion did not prevail, a majority of all the Senators present not voting therefor.

The question being on the adoption of the resolutions,

The resolutions were adopted.

Mr. Ming offered the following resolution:

Senate resolution No. 79.

Whereas, The tax upon inheritances has always been regarded as strictly and peculiarly a source of State revenue, and

Whereas, The needs of the State of Michigan are so many that it cannot sacrifice or surrender a source of revenue which yields to this State a goodly amount of taxes each year, and

Whereas, The imposition of a Federal inheritance tax, in addition to the State inheritance tax, would be double taxation and most unjust; therefore be it

Resolved by the Senate (the House of Representatives concurring), That we respectfully request our Senators and Representatives in Con-

gress from the State of Michigan to vote against the proposed Federal inheritance tax and devise some other suitable means of providing for the deficit in the national treasury.

The question being on the adoption of the resolution,

The President announced that the hour had arrived for the special order and stated that the resolution would be placed on the order of Unfinished Business.

SPECIAL ORDER.

2:30 o'clock p. m.

The President announced that the hour had arrived for the special order and laid before the Senate

Senate bill No. 158 (file No. 142), entitled

A bill to provide for the better enforcement of laws regulating, restricting or prohibiting the manufacture or sale of intoxicating liquors as a beverage or the keeping of any place for the manufacture or sale of such liquors by providing for the search for and seizure of any such liquors kept for illicit sale; providing that all packages containing intoxicating liquors shall be so labeled and that it shall be unlawful for common carriers to transport intoxicating liquors under false names; and providing that all sales known as C. O. D. shipments shall be held to be made at the place of destination; and providing that all clubs where intoxicating liquors are kept for the individual use of the members thereof shall be held to be a place where intoxicating liquors are furnished or given away, and defining the term "intoxicating liquors."

Mr. MacKay moved that the Senate resolve itself into the committee of the whole on the special order.

The motion prevailed.

The President called Mr. MacKay to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee of the whole has had under consideration the above entitled bill,

Has made sundry amendments thereto and has directed its chairman to report the same back to the Senate, asking concurrence therein, but not having completed the consideration thereof, reports progress and asks leave to sit again on the bill.

JOHN D. M. MACKAY,
Chairman.

The report was accepted.

The Senate concurred in the amendments and in the recommendation of the committee regarding the bill named in the report and the committee was granted leave to sit again on the bill.

Mr. Watkins moved that the Senate take a recess for ten minutes, the time being 3:20 o'clock p. m., and that Mrs. J. C. Sharpe, of Jackson, President of the Allied Women's Clubs of Jackson, be invited to address the Senate and that a special committee be appointed to escort Mrs. Sharpe to the chair,

Pending which motion

Mr. Taylor moved that Mrs. Florence G. Mills, of Kalamazoo, President of the State Federation of Women's Clubs, be invited to address the Senate at the close of Mrs. Sharpe's address, and that a special committee be appointed to escort Mrs. Mills to the chair.

The motion made by Mr. Watkins then prevailed, as did also the motion made by Mr. Taylor.

The President appointed as the committee to escort Mrs. Sharpe to the chair Senators Anhut, Watkins and Wetmore.

Mrs. Sharpe then addressed the Senate.

The President appointed as the committee to escort Mrs. Mills to the chair Senators Shields, Fowle and Taylor.

Mrs. Mills then addressed the Senate.

AFTER RECESS.

3:30 o'clock p. m.

The Senate was called to order by the President.
A quorum of the Senate was present.

The Senate resumed the

SPECIAL ORDER,

The same being the consideration of
Senate bill No. 158 (file No. 142),
Providing for the enforcement of Liquor Laws.

Mr. Shields moved that the Senate resolve itself into the committee of the whole on the special order.

The motion prevailed.

The President called Mr. MacKay to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee of the whole has had under consideration
Senate bill No. 158 (file No. 142);

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in and recommend that, as amended, the bill pass.

The committee of the whole has also had under consideration the following:

Senate bill No. 159 (file No. 143), entitled

A bill to amend sections 1, 16 and 25 of Act No. 183 of the Public Acts of 1899, being an act to amend Act No. 207 of the Public Acts of 1889, entitled "An act to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of vinous, malt, brewed, fermented, spirituous or intoxicating liquors or any mixed liquor or beverage, any part of which is intoxicating, and to prohibit the keeping of any saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of such liquors or beverages, and to suspend the general laws of the State relative to the taxation and regulation of the manufacture and sale of such liquors in the several counties of this State under certain circumstances; to authorize the qualified electors of the several counties of this State to express their will in regard to such prohibition by an election, and to authorize and empower the boards of supervisors of the several counties, after such election, if they shall determine the result to be in favor of such prohibition, to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of any such liquors, or the keeping of a saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of the same in their respective counties, and to provide for penalties and rights of action in case of its violation;"

Also:

Senate bill No. 160 (file No. 144), entitled

A bill to amend Act No. 170 of the Public Acts of 1903, entitled "An act to amend section 15 of Act No. 183 of the Public Acts of 1899, being an act to amend Act No. 207 of the Public Acts of 1889, entitled 'An act to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of vinous, malt, brewed, fermented, spirituous or intoxicating liquors or any mixed liquor or beverage, any part of which is intoxicating, and to prohibit the keeping of any saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of such liquors or beverages, and to suspend the general laws of the State relative to the taxation and regulation of the manufacture and sale of such liquors in the several counties of this State under certain circumstances; to authorize the qualified electors of the several counties of this State to express their will in regard to such prohibition by an election, and to authorize and empower the boards of supervisors of the several counties, after such election, if they shall determine the result to be in favor of such prohibition, to prohibit the manufacture, sale, keeping for sale, storing for sale, giving away or furnishing of the same in their respective counties, and to provide for penalties and rights of action in case of its violation;'"

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking concurrence therein, and with the recommendation that the bills be referred to the Committee on Judiciary.

J. D. M. MacKAY,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first named bill in the report and the bill was placed on the order of third reading of bills.

The Senate concurred in the amendments and in the recommendation of the committee regarding the second and third named bills in the report and the bills were referred to the Committee on Judiciary.

Mr. Moriarty moved that the Senate resolve itself into

EXECUTIVE SESSION.

The motion prevailed, the time being 5:10 o'clock p. m.
The executive session closed, the time being 5:20 o'clock p. m.

The Secretary announced that the nomination to office from the Governor, read to the Senate today in open session, had been confirmed by the Senate in executive session.

The Senate resumed the regular order of business.

REPORTS OF STANDING COMMITTEES.

By the Committee on Banks and Corporations:

The Committee on Banks and Corporations reports

Senate bill No. 87 (file No. 78), entitled

A bill to amend sections 36, 38 and 55 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," as amended, the same being sections 6125, 6137 and 6144 of the Compiled Laws of 1897, as amended:

With the following amendments thereto:

1. By inserting in line 6 of section 38 after the word "necessary" a period, and striking out all that follows to and including the word "compensation" in line 13;

2. By inserting in line 18 of section 38 after the word "thereafter" the words "Provided, that present examiners shall be given credit for the time already employed in the department and their salaries fixed in accordance with the provisions of this act;"

3. By inserting in line 1 of section 55 after the word "if" the words "the commissioner shall become satisfied that the;"

4. By striking out of line 1 of section 55 the words "shall have" and inserting in lieu thereof the word "has;"

5. By striking out of line 3 of section 55 the word "herein" and inserting in lieu thereof the words "by him;"

6. By striking out of line 3 of section 55 the word "or" and inserting in lieu thereof the word "and;"

Recommend that the amendments be concurred in, and that when so amended the bill pass.

F. B. KLINE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Kline moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

Mr. Kline moved that the above entitled bill be placed at the head of the special order for tomorrow, March 25.

The motion prevailed, two-thirds of all the Senators present voting therefor.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

Senate bill No. 83 (file No. 74), entitled

A bill to amend section 1 of Act No. 190 of the Public Acts of 1903, entitled "An act to provide for the payment of tuition in and the transportation to another district of children who have completed the eighth grade in any school district;"

With the accompanying substitute therefor, having the following title:

"A bill to provide for the payment of tuition in and transportation to another district, of children who have completed the eighth grade in any school district; and to repeal Act No. 190 of the Public Acts of 1903 and all other acts and parts of acts in anywise contravening the provisions of this act;"

Recommend that the substitute be concurred in, and that the bill as substituted, pass.

GEO. G. SCOTT,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Scott moved that the Senate concur in the adoption of the substitute reported by the committee.

The motion prevailed.

Mr. Scott moved that the bill, as substituted, be ordered printed for the use of the Senate.

The motion prevailed.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Military Affairs:
The Committee on Military Affairs reports
House bill No. 142 (file No. 90), entitled

A bill to provide for the transfer of certain military property belonging to the State to the State Board of Agriculture and the board of trustees of the Industrial School for Boys at Lansing;

With the recommendation that the bill pass.

W. A. COLLINS,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Military Affairs:
The Committee on Military Affairs reports
Senate bill No. 127 (file No. 113), entitled

A bill to provide for the burial of the bodies of certain honorably discharged soldiers, sailors or marines, or the wives or widows of said soldiers, sailors or marines or army nurses, in this State, who shall hereafter die without leaving means sufficient to defray funeral expenses, and to repeal Act No. 39 of the Public Acts of 1905;

With the recommendation that the bill pass.

W. A. COLLINS,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Military Affairs:
The Committee on Military Affairs reports
Senate bill No. 114 (file No. 103), entitled

A bill making it unlawful for any common carrier, inn keeper or proprietor or lessee of any place of public amusement or entertainment, or any agent, servant or representative of any such common carrier, inn keeper, proprietor or lessee as aforesaid, to debar from the full and equal enjoyment of the accommodations, advantages, facilities or privileges of any public conveyance on land or water or any inn or place of public amusement or entertainment, any person in the military or naval service of the United States or of this State, and providing a remedy for such disbarment;

With the recommendation that the bill pass.

W. A. COLLINS,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Banks and Corporations:
The Committee on Banks and Corporations reports
Senate bill No. 30 (file No. 27), entitled

A bill in relation to the payment of deposits of money in banks and

trust companies by minors, trust deposits, and deposits in the names of more than one person;

With the following amendments thereto:

1. By striking out of lines 3 and 4 of section 1 the words "and free from the control or lien of all other persons, except creditors."

2. By inserting in line 8 of section 1 after the word "corporation" the words "Provided that said deposit does not exceed the sum of two hundred fifty dollars and that said minor has no regular and duly appointed guardian of his estate."

3. By inserting in line 9 of section 1 before the word "when" the word and figure "Section 2."

4. By inserting in line 17 of section 1 after the word "made" the words "Provided said deposit shall not exceed the sum of five hundred dollars."

5. By inserting in line 17 of section 1 after the word "made" the word and figure "Section 3;"

Recommend that the amendments be concurred in, and that when so amended the bill pass.

F. B. KLINE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Kline moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Public Health:

The Committee on Public Health reports

House bill No. 65 (file No. 64), entitled

A bill defining the powers and duties of local health officers and boards of health in the matter of the protection of the people of the State of Michigan from the disease known as tuberculosis;

With the recommendation that the bill pass.

A. C. KINGMAN,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Public Health:

The Committee on Public Health reports

House bill No. 106 (file No. 48), entitled

A bill to amend section 9 of Act No. 134 of the Public Acts of 1885, entitled "An act to regulate the practice of pharmacy in the State of Michigan," as amended by Act No. 279 of the Public Acts of 1907;

With the recommendation that the bill pass.

A. C. KINGMAN,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Public Health:

The Committee on Public Health reports

House bill No. 230 (file No. 93), entitled

A bill to regulate the sale of cocaine, its salts; alpha or beta eucaine, their salts; or any preparation of cocaine or its salts; or any preparation of alpha or beta eucaine or their salts; or any compound, mixture, solution or other product of which cocaine or any of its salts or alpha or beta eucaine or any of their salts may be an ingredient;

With the recommendation that the bill pass.

A. C. KINGMAN,

Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Public Health:

The Committee on Public Health reports

House bill No. 197 (file No. 104), entitled

A bill in relation to the supervision and control by the State Board of Health over water works systems and providing penalties for the violation of this act;

With the following amendments thereto:

1. By inserting in line 3 of section 1 after the word "corporations" the words "other than municipal."
2. By inserting in line 5 of section 3 after the word "corporations" the words "other than municipal."
3. By inserting in line 4 of section 4 after the word "corporations" the words "other than municipal."
4. By inserting in line 3 of section 5 after the word "corporations" the words "other than municipal."
5. By inserting in line 1 of section 6 after the word "companies" the words "except as herein provided."
6. By inserting in line 5 of section 6 after the word "corporations" the words "other than municipal."
7. By inserting in line 9 of section 6 after the word "corporations" the words "other than municipal."
8. By inserting in line 17 of section 6 after the word "corporations" the words "other than municipal."
9. By inserting in line 19 of section 6 after the word "corporations" the words "other than municipal."
10. By inserting in line 20 of section 6 after the word "corporations" the words "other than municipal."
11. By inserting in line 23 of section 6 after the word "corporations" the words "other than municipal."
12. By inserting in line 1 of section 8 after the word "corporations" the words "other than municipal."

13. By inserting in line 1 of section 9 after the word "corporations" the words "other than municipal;"

Recommend that the amendments be concurred in, and that when so amended the bill pass.

A. C. KINGMAN,
Chairman.

The report was accepted and adopted and the committee discharged. Mr. Kingman moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 143 (file No. 129), entitled

A bill to amend section 22 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May 29, 1897, being compiler's section 377 of the Compiled Laws of 1897, as amended by Act No. 75 of the Public Acts of 1903;

With the recommendation that the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Taxation:

The Committee on Taxation reports

Senate bill No. 22 (file No. 20), entitled

A bill to amend the title and sections 1, 4, 5, 6, 8, 9, 10, 13, 14, 18 and 21 of Act No. 282 of the Public Acts of 1905, entitled "An act to provide for the assessment of the property of railroad companies, union station and depot companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight line companies, and for the levy of taxes thereon by a State Board of Assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act;"

Also:

Senate bill No. 31 (file No. 28), entitled

A bill to amend the title and sections 4, 5, 6, 8, 9, 10, 13, 14 and 18 of Act No. 282 of the Public Acts of 1905, entitled "An act to provide for the assessment of the property of railroad companies, union station and depot companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies and fast freight line companies, and for the levy of taxes thereon by a State Board of Assessors, and for the collection of such taxes, and to repeal

all acts or parts of acts contravening any of the provisions of this act;”

With the accompanying substitute therefor, having the following title:

A bill to amend the title and sections 1, 4, 5, 6, 8, 9, 10, 13, 14, 18 and 21 of Act No. 282 of the Public Acts of 1905, entitled “An act to provide for the assessment of the property of railroad companies, union station and depot companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight line companies, and for the levy of taxes thereon by a State Board of Assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act;”

Recommend that the substitute be concurred in, and that the bill, as substituted, pass.

EARL FAIRBANKS,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Fairbanks moved that the Senate concur in the adoption of the substitute reported by the committee.

The motion prevailed.

Mr. Fairbanks moved that the bill, as substituted, be ordered printed the use of the Senate.

The motion prevailed.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Taxation:

The Committee on Taxation reports

Senate bill No. 176 (file No. 160), entitled

A bill to amend section 28 of Act No. 206 of the Public Acts of 1893, entitled “An act to provide for the assessment of property and the levy and collection of taxes thereon and for the collection of taxes heretofore and hereafter levied; making such taxes a lien upon the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes and for the inspection and disposition of lands bid off to the State and not redeemed or purchased, and to repeal Act No. 200 of the Public Acts of 1891 and all other acts and parts of acts in anywise contravening any of the provisions of this act,” being compiler’s section 3851 of the Compiled Laws of 1897, as amended by Act No. 129 of the Public Acts of 1901;

With the accompanying substitute therefor, having the same title:

Recommend that the substitute be concurred in, and that the bill as substituted, pass.

EARL FAIRBANKS,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Fairbanks moved that the Senate concur in the adoption of the substitute reported by the committee.

The motion prevailed.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary respectfully requests that
House bill No. 229 (file No. 88), entitled

A bill fixing the salaries of Circuit Judges;

Be printed for the use of the committee.

FRED C. WETMORE,

Chairman.

The question being on complying with the request of the committee,
The request was granted and the bill was ordered printed for the use
of the committee.

INTRODUCTION OF BILLS.

Mr. MacKay introduced

Senate bill No. 208, entitled

A bill to regulate the proceedings of Presidential Electors, defining
their duties and compensation and prescribing the duties of the
Secretary of State in relation thereto.

The bill was read a first and second time by its title, ordered printed,
and referred to the Committee on Judiciary.

Mr. Taylor introduced

Senate bill No. 209, entitled

A bill to provide that decrees of divorce shall make provision in
satisfaction of the claims of the wife in the property of the husband,
to change the tenure of lands owned by husband and wife in case of
divorce and to provide for the disposition or partition of such lands or
the proceeds thereof.

The bill was read a first and second time by its title, ordered printed,
and referred to the Committee on Judiciary.

Mr. Kingman introduced

Senate bill No. 210, entitled

A bill to amend section 1 of Act No. 45 of the Public Acts of 1895,
entitled "An act to prevent the introduction of a dangerous communicable
disease in any township, city or village in Michigan, except under
specified regulations."

The bill was read a first and second time by its title, ordered printed,
and referred to the Committee on Public Health.

Mr. Barnaby introduced

Senate bill No. 211, entitled

A bill to amend section 1 of Act No. 175 of the Public Acts of 1905,
entitled "An act to regulate the employment of expert witnesses."

The bill was read a first and second time by its title, ordered printed,
and referred to the Committee on Judiciary.

Mr. Barnaby introduced

Senate bill No. 212, entitled

A bill to amend sections 25 and 25a of Act No. 257 of the Public Acts
of 1899, entitled "An act to amend section 25 of Act No. 137 of the

Laws of 1849, as amended, relative to authorizing proceedings against garnishees and for other purposes, as amended, being section 8055 of Howell's Annotated Statutes, the same being compiler's section 1014 of the Compiled Laws of 1897, as amended by Act No. 178 of the Session Laws of 1891, and to add two new sections thereto to stand as sections 25a and 25b," as amended by Act No. 73 of the Public Acts of 1903.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Bolt introduced

Senate bill No. 213, entitled

A bill to amend section 11 of chapter 3 of Act No. 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools and to repeal all statutes and acts contravening the provisions of this act," being section 4676 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Kline introduced

Senate bill No. 214, entitled

A bill to provide for the transfer to the current expense fund of certain unexpended appropriations for the Industrial Home for Girls.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Industrial Home for Girls.

Mr. Kline introduced

Senate bill No. 215, entitled

A bill authorizing each Probate Judge in this State to appoint a stenographer.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Fox moved that the Senate adjourn.

The motion prevailed, the time being 5:35 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FORTY-SIXTH DAY.

Lansing, Thursday, March 25.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. C. H. Hanks, of the First Congregational Church, of Owosso.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Ward, Watkins, Weter, Wetmore, White, Whitney—29.

The following Senators were absent with leave: Messrs. Krueger, Tuttle—2.

The following Senator was absent without leave: Mr. MacKay—1.

Mr. Snell moved that leave of absence be granted to the absentee from today's session and from Friday's session on account of sickness.

The motion prevailed.

Mr. Fairbanks, by unanimous consent, moved to discharge the committee of the whole from the further consideration of

Senate substitute for Senate bills Nos. 22 (file No. 20) and 31 (file No. 28), entitled

A bill to amend the title and sections 1, 4, 5, 6, 8, 9, 10, 13, 14, 18 and 21 of Act No. 282 of the Public Acts of 1905, entitled "An act to provide for the assessment of the property of railroad companies, union station and depot companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight line companies, and for the levy of taxes thereon by a State Board of Assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act."

The motion prevailed.

Mr. Fairbanks moved that the above entitled bill be placed at the head of the special order for today.

Mr. Anhut moved to amend the motion made by Mr. Fairbanks by making the bill a special order for Tuesday, March 30, at 2:30 o'clock p. m.

The motion made by Mr. Anhut did not prevail, a majority of all the Senators present not voting therefor.

The question then being on the motion made by Mr. Fairbanks that the bill be placed at the head of the special order for today,

The motion prevailed, a majority of all the Senators present voting therefor.

Mr. Shields arose to a point of order and stated that the motion made by Mr. Fairbanks to place the above entitled bill at the head of the special order for today had not prevailed for the reason that such a motion is a suspension of the Senate rules and requires, to prevail, the assent of two-thirds of all the Senators present and voting.

The President declared the point of order not well taken and stated that the Senate, having taken the bill from its regular order of business, the bill was therefore before the Senate for disposition; that it was competent for the Senate to make the bill a special order for today and that under Rule 19 of the Senate rules, no hour for the special order having been fixed, the Senate may determine which of several bills it desires to consider first.

Whereupon Mr. Shields appealed from the decision of the chair.

The question then being, "Shall the decision of the chair stand as the judgment of the Senate,"

Mr. Anhut demanded the yeas and nays.

The decision of the chair was then sustained, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Newton	Mr. Ward	
Barnaby	Foster	Scott	Watkins	
Bates	Fox	Smith	Weter	
Bolt	Kingman	Snell	Wetmore	
Bradley	Kline	Taylor	Whitney	
Dickinson	Ming			22

NAYS.

Mr. Anhut	Mr. Fowle	Mr. Moriarty	Mr. White	
Collins	Mapes	Shields		7

Mr. Kline then moved that the Senate resolve itself into the committee of the whole on the

SPECIAL ORDER.

The motion prevailed, there being no objection thereto.

The President called Mr. Scott to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee of the whole has had under consideration

Senate substitute for

Senate bills Nos. 22 (file No. 20) and 31 (file No. 28), entitled

A bill to amend the title and sections 1, 4, 5, 6, 8, 9, 10, 13, 14, 18 and 21 of Act No. 282 of the Public Acts of 1905, entitled "An act to provide for the assessment of the property of railroad companies, union station and depot companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight line companies, and for the levy of taxes thereon by a State Board of Assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act;"

Also:

Senate bill No. 87 (file No. 78), entitled

A bill to amend sections 36, 38 and 55 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," as amended, the same being sections 6125, 6137 and 6144 of the Compiled Laws of 1897, as amended;

Also:

Senate bill No. 60 (file No. 56), entitled

A bill to amend sections 24 and 27 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking, and to establish a banking department for the supervision of such business," and acts amendatory thereof, being sections 6113 and 6116 of the Compiled Laws of 1897;

Also:

Senate bill No. 88 (file No. 79), entitled

A bill to repeal sections 41, 42, 60, 63, 65, 66, 68, 69 and 70 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," as amended, the same being sections 6130, 6131, 6149, 6152, 6154 and 6155 of the Compiled Laws of 1897, and Act No. 274 of the Public Acts of 1907;

Also:

Senate bill No. 86 (file No. 77), entitled

A bill to repeal Act No. 68 of the Public Acts of 1893, as amended, entitled "An act to provide for the incorporation of supreme, grand and subordinate lodges of the United Home Protectors' Fraternity, a co-operative fraternal building and loan society or order;"

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate bill No. 85 (file No. 76), entitled

A bill to repeal Act No. 205 of the Public Acts of 1877, as amended,

entitled: "An act to provide for the incorporation of societies for the receiving, loaning and investing of money;"

Also:

Senate bill No. 84 (file No. 75), entitled

A bill to punish the making, circulating or transmitting of statements, rumors or suggestions derogatory to the financial condition or standing of a bank;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in, and recommend that, as amended, the bills pass.

Geo. G. Scott,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first, second, third, fourth and fifth named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendments made to the sixth and seventh named bills in the report and the bills were placed on the order of third reading of bills.

Mr. Wetmore moved that the Senate take up the order of Third Reading of Bills.

The motion prevailed, two-thirds of all the Senators present voting therefor.

Mr. Moriarty moved that the Senate adjourn.

The motion did not prevail, the time being 4:45 o'clock p. m.

THIRD READING OF BILLS.

Senate substitute for

Senate bills Nos. 22 (file No. 20), and 31 (file No. 28), entitled

A bill to amend the title and sections 1, 4, 5, 6, 8, 9, 10, 13, 14, 18 and 21 of Act No. 282 of the Public Acts of 1905, entitled "An act to provide for the assessment of the property of railroad companies, union station and depot companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight line companies, and for the levy of taxes thereon by a State Board of Assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act;"

Was read a third time.

The question being on the passage of the bill,

Mr. Ming moved the previous question, which motion was seconded.

The question then being: "Shall the main question now be put,"

The same was ordered.

The question being on the passage of the bill,

The bill was then passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Ming	Mr. Ward
Anhut	Foster	Moriarty	Watkins
Barnaby	Fowle	Newton	Weter
Bates	Fox	Scott	Wetmore
Bolt	Kingman	Shields	White
Collins	Kline	Snell	Whitney
Dickinson	Mapes	Taylor	

27

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 87 (file No. 78), entitled

A bill to amend sections 36, 38 and 55 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business" as amended, the same being sections 6125, 6137 and 6144 of the Compiled Laws of 1897, as amended;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Shields moved to amend the bill by striking out of lines 2, 3 and 4 of section 36 the words "appointed by the Governor by and with the consent of the Senate and shall hold his office for the term of four years" and inserting in lieu thereof the words "nominated and elected in like manner and at the same time as Justices of the Supreme Court are now nominated and elected and he shall hold his office for the term of two years."

The question being on receiving the amendment,

Mr. Moriarty moved that there be a call of the Senate.

The motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the Senate was called by the Secretary, and the following Senators were reported absent without leave:

Messrs. Bradley, Ming, Smith.

Mr. White moved that Mr. Bradley be excused from the balance of today's session.

The motion prevailed.

entitled: "An act to provide for the incorporation of societies for the receiving, loaning and investing of money;"

Also:

Senate bill No. 84 (file No. 75), entitled

A bill to punish the making, circulating or transmitting of statements, rumors or suggestions derogatory to the financial condition or standing of a bank;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in, and recommend that, as amended, the bills pass.

GEO. G. SCOTT,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first, second, third, fourth and fifth named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendments made to the sixth and seventh named bills in the report and the bills were placed on the order of third reading of bills.

Mr. Wetmore moved that the Senate take up the order of Third Reading of Bills.

The motion prevailed, two-thirds of all the Senators present voting therefor.

Mr. Moriarty moved that the Senate adjourn.

The motion did not prevail, the time being 4:45 o'clock p. m.

THIRD READING OF BILLS.

Senate substitute for

Senate bills Nos. 22 (file No. 20), and 31 (file No. 28), entitled

A bill to amend the title and sections 1, 4, 5, 6, 8, 9, 10, 13, 14, 18 and 21 of Act No. 282 of the Public Acts of 1905, entitled "An act to provide for the assessment of the property of railroad companies, union station and depot companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight line companies, and for the levy of taxes thereon by a State Board of Assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act;"

Was read a third time.

The question being on the passage of the bill,

Mr. Ming moved the previous question, which motion was seconded.

The question then being: "Shall the main question now be put,"

The same was ordered.

The question being on the passage of the bill,

The bill was then passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Ming	Mr. Ward
Anhut	Foster	Moriarty	Watkins
Barnaby	Fowle	Newton	Weter
Bates	Fox	Scott	Wetmore
Bolt	Kingman	Shields	White
Collins	Kline	Snell	Whitney
Dickinson	Mapes	Taylor	

27

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 87 (file No. 78), entitled

A bill to amend sections 36, 38 and 55 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business" as amended, the same being sections 6125, 6137 and 6144 of the Compiled Laws of 1897, as amended;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Shields moved to amend the bill by striking out of lines 2, 3 and 4 of section 36 the words "appointed by the Governor by and with the consent of the Senate and shall hold his office for the term of four years" and inserting in lieu thereof the words "nominated and elected in like manner and at the same time as Justices of the Supreme Court are now nominated and elected and he shall hold his office for the term of two years."

The question being on receiving the amendment,

Mr. Moriarty moved that there be a call of the Senate.

The motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the Senate was called by the Secretary, and the following Senators were reported absent without leave:

Messrs. Bradley, Ming, Smith.

Mr. White moved that Mr. Bradley be excused from the balance of today's session.

The motion prevailed.

Mr. Moriarty moved that the Sergeant-at-Arms be despatched after the absentees.

The motion prevailed.

Mr. Moriarty moved that the Senate proceed with the regular order of business under the call.

The motion prevailed.

The question being on receiving the amendment offered by Mr. Shields, he demanded the yeas and nays thereon.

The amendment then was not received, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Bolt	Mr. Mapes	Mr. Weter	
Barnaby	Fairbanks	Shields	Whitney	
Bates	Fox	Ward		11

NAYS.

Mr. Aitkin	Mr. Fowle	Mr. Newton	Mr. Watkins	
Collins	Kingman	Scott	Wetmore	
Dickinson	Kline	Snell	White	
Foster	Moriarty	Taylor		15

The question being on the passage of the bill,

Mr. Shields moved to amend the bill by striking out of line 11 of section 36 the word "five" and inserting in lieu thereof the word "three."

The question being on receiving the amendment,

Mr. Shields demanded the yeas and nays.

The amendment then was not received, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Bolt	Mr. Mapes	Mr. Weter	
Barnaby	Dickinson	Shields	Whitney	
Bates	Fox	Taylor		11

NAYS.

Mr. Aitkin	Mr. Fowle	Mr. Newton	Mr. Watkins	
Collins	Kingman	Scott	Wetmore	
Fairbanks	Kline	Snell	White	
Foster	Moriarty	Ward		15

The question being on the passage of the bill,

Mr. Shields moved to amend the bill by striking out of line 12 of section 36 the word "three" and inserting in lieu thereof the word "two."

The question being on receiving the amendment,

Mr. Shields demanded the yeas and nays.

The amendment then was not received, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut Barnaby Bates	Mr. Bolt Dickinson Fox	Mr. Mapes Shields	Mr. Taylor Weter	10
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NAYS.

Mr. Aitkin Collins Fairbanks Foster	Mr. Fowle Kingman Kline Moriarty	Mr. Newton Scott Snell Ward	Mr. Watkins Wetmore White Whitney	16
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The question being on the passage of the bill,

Mr. Shields moved to amend the bill by striking out of line 15 of section 38 the words "two hundred and fifty" and inserting in lieu thereof the words "one hundred."

The question being on receiving the amendment,

Mr. Anhut demanded the yeas and nays.

The amendment then was not received, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut Barnaby Bates	Mr. Bolt Dickinson Fox	Mr. Mapes Shields	Mr. Taylor Weter	10
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NAYS.

Mr. Aitkin Collins Fairbanks Foster	Mr. Fowle Kingman Kline Moriarty	Mr. Newton Scott Snell Ward	Mr. Watkins Wetmore White Whitney	16
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The question being on the passage of the bill,

Mr. Shields moved to amend the bill by striking out of lines 16 and 17 of section 28 the words "twenty-five hundred dollars" and inserting in lieu thereof the words "two thousand dollars."

The question being on receiving the amendment,

Mr. Shields demanded the yeas and nays.

The amendment then was not received, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut Barnaby Bates	Mr. Bolt Dickinson Fox	Mr. Mapes Shields	Mr. Taylor Weter	10
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NAYS.

Mr. Aitkin	Mr. Fowle	Mr. Newton	Mr. Watkins
Collins	Kingman	Scott	Wetmore
Fairbanks	Kline	Snell	White
Foster	Moriarty	Ward	Whitney

16

The question being on the passage of the bill,
The bill was then not passed, two-thirds of all the Senators-elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Newton	Mr. Watkins
Barnaby	Fowle	Scott	Wetmore
Collins	Kingman	Snell	White
Dickinson	Kline	Ward	Whitney
Fairbanks	Moriarty		

18

NAYS.

Mr. Anhut	Mr. Bolt	Mr. Mapes	Mr. Taylor
Bates	Fox	Shields	Weter

8

Mr. Kline moved to reconsider the vote by which the Senate failed to pass the above entitled bill.

The motion prevailed by a rising vote (19 for, 7 against).

The question being on the passage of the bill,

Mr. Kline moved that the bill be laid on the table.

The motion prevailed.

Mr. Moriarty moved that all further proceedings under the call be dispensed with.

The motion prevailed.

Senate bill No. 84 (file No. 75), entitled

A bill to punish the making, circulating or transmitting of statements, rumors or suggestions derogatory to the financial condition or standing of a bank;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Kline	Mr. Snell
Anhut	Foster	Mapes	Watkins
Barnaby	Fowle	Moriarty	Weter
Collins	Fox	Newton	Wetmore
Dickinson	Kingman	Scott	Whitney

20

NAYS.

Mr. Bates
BoltMr. Shields
Taylor

Mr. Ward

Mr. White

6

The title of the bill was agreed to.

Senate bill No. 85 (file No. 76), entitled

A bill to repeal Act No. 205 of the Public Acts of 1877, as amended, entitled "An act to provide for the incorporation of societies for the receiving, loaning and investing of money;"

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Anhut
Barnaby
Bates
Bolt
Collins
DickinsonMr. Fairbanks
Foster
Fowle
Fox
Kline
MapesMr. Moriarty
Newton
Scott
Shields
Snell
TaylorMr. Ward
Watkins
Weter
Wetmore
White
Whitney

25

NAYS.

0

The question being on agreeing to the title,

Mr. Kline moved to amend the title so as to read as follows:

A bill to repeal Act No. 205 of the Public Acts of 1877, as amended, entitled "An act to provide for the incorporation of societies for the receiving, loaning and investing of money," the same being compiler's section No. 6190 of the Compiled Laws of 1897.

The motion prevailed, and the title of the bill was so amended.

The title of the bill as amended was then agreed to.

Senate bill No. 86 (file No. 77), entitled

A bill to repeal Act No. 68 of the Public Acts of 1893, as amended, entitled "An act to provide for the incorporation of supreme, grand and subordinate lodges of the United Home Protectors' Fraternity, a co-operative fraternal building and loan society or order;"

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Anhut
Barnaby
Bates
Bolt
Collins
DickinsonMr. Fairbanks
Foster
Fowle
Fox
Kingman
Kline
MapesMr. Moriarty
Newton
Scott
Shields
Snell
TaylorMr. Ward
Watkins
Weter
Wetmore
White
Whitney

26

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 88 (file No. 79), entitled

A bill to repeal sections 41, 42, 60, 63, 65, 66, 68, 69 and 70 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," as amended, the same being sections 6130, 6131, 6149, 6152, 6154 and 6155 of the Compiled Laws of 1897, and Act No. 274 of the Public Acts of 1907;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Moriarty	Mr. Ward	
Anhut	Foster	Newton	Watkins	
Barnaby	Fowle	Scott	Weter	
Bates	Fox	Shields	Wetmore	
Bolt	Kingman	Snell	White	
Collins	Kline	Taylor	Whitney	
Dickinson	Mapes			26

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 60 (file No. 56), entitled

A bill to amend sections 24 and 27 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking, and to establish a banking department for the supervision of such business," and acts amendatory thereof, being sections 6113 and 6116 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Moriarty	Mr. Ward	
Anhut	Foster	Newton	Watkins	
Barnaby	Fowle	Scott	Weter	
Bates	Fox	Shields	Wetmore	
Bolt	Kingman	Snell	White	
Collins	Kline	Taylor	Whitney	
Dickinson	Mapes			26

NAYS.

0

The title of the bill was agreed to.

By unanimous consent the Senate took up the order of

INTRODUCTION OF BILLS.

Mr. Fox introduced

Senate bill No. 216, entitled

A bill to revise, consolidate and add to the laws relating to the establishment, opening, improvement, maintenance and use of highways and private roads, and the building, repairing and preservation of bridges within this State.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Roads and Bridges.

Mr. Fox moved that 500 extra copies of the above entitled bill be printed for the use of the committee.

The motion prevailed.

Mr. Wetmore introduced

Senate bill No. 217, entitled

A bill to provide for the incorporation, regulation and control of fraternal benefit societies.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Insurance.

Mr. Whitney introduced

Senate bill No. 218, entitled

A bill to regulate the filing of annual statements by insurance companies doing business in this State and the issuance of certificates of authority thereto by the Commissioner of Insurance.

The bill was read a first and second time by its title, ordered printed and referred to the Committee on Insurance.

Mr. White moved that the Senate take up the order of Reports of Standing Committees.

The motion prevailed, two-thirds of all the Senators present voting therefor.

REPORTS OF STANDING COMMITTEES.

By the Committee on Counties and Townships:

The Committee on Counties and Townships reports

Senate bill No. 40 (file No. 38), entitled

A bill to amend section 8 of chapter 16 of the Revised Statutes of 1846, entitled "On the powers and duties of townships, and election and duties of township officers," said section being 2275 of the Compiled Laws of 1897;

With the following amendment thereto:

1. By inserting in line 4, of section 8, after the word "highways" the words "as many overseers of highways as shall be provided for by law;"

Recommend that the amendment be concurred in, and that when so amended the bill pass.

CHAS. E. WHITE,
Chairman.

The report was accepted and adopted and the committee discharged. Mr. White moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Counties and Townships:

The Committee on Counties and Townships reports

Senate bill No. 119 (file No. 104), entitled

A bill to amend section 1 of Act No. 262 of the Public Acts of 1897, entitled "An act to require township boards to make public annually an itemized statement of the condition of the finances of the township, in relation to the receipts and disbursements made by the township board," said section being compiler's section 2350 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

CHAS. E. WHITE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Counties and Townships:

The Committee on Counties and Townships reports

House bill No. 62 (file No. 68), entitled

A bill to amend section 10 of chapter 13 of the Revised Statutes of 1846, entitled "Organization, powers and duties of counties," the same being compiler's section 2448 of the Compiled Laws of 1897, relative to jurisdiction of counties bordering on Lake Michigan;

With the recommendation that the bill be referred to the Committee on Judiciary.

CHAS. E. WHITE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. White moved that the Senate concur in the recommendation of the committee.

The motion prevailed and the bill was so referred.

By the Committee on Counties and Townships:

The Committee on Counties and Townships reports

House bill No. 40 (file No. 46), entitled

A bill to amend section 14 of Act 156 of the Public Acts of 1851, as amended by Act No. 46 of the Public Acts of 1905, same being section 2487 of the Compiled Laws of 1897 and relating to the organization, vacation, division or alteration of townships;

With the following amendment thereto:

1. By striking out of line 7 of section 14 the words "except that if any township be consolidated there shall not be to exceed thirty free holders at the last general election, then upon petition of five free holders therein," and inserting in lieu thereof the words "except that in any township where there were not to exceed thirty electors at the last general election, then such petition may be made by five free holders in such township."

Recommend that the amendment be concurred in, and that when so amended the bill pass.

CHAS. E. WHITE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. White moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 95 (file No. 85), entitled

A bill to provide for a Board of Jury Commissioners in each county in this State, to prescribe the manner of selecting jurors, and prescribing punishment for a violation of this act;

With the following amendments thereto:

1. By striking out section 1 of the bill and inserting a new section to stand as section 1 and to read as follows: "Section 1. Whenever a majority of the qualified electors in any county in this State shall, by voting thereon, decide in favor of the appointment of a board of jury commissioners, it shall be the duty of the Governor to make such appointments in the manner hereinafter provided. The number of members constituting each such board shall be three. Each member of the board shall be a resident elector of the county for which he is appointed. No person while a member of said board shall hold any other public office of profit, except notary public."

2. By striking out section 2 of the bill and inserting a new section to stand as section 2 and to read as follows: "Section 2. Within thirty days subsequent to an election at which a majority of the electors of the county, voting thereon, shall decide in favor of the appointment of a board of jury commissioners, it shall be the duty of the judge or judges of a judicial circuit in which said county is located to submit to the Governor a list of qualified electors of said county that shall equal the number of wards and townships contained therein. From said list of qualified electors, the Governor shall, within thirty days after receiving said lists, make his selections for appointment to said board of jury commissioners. All vacancies which may occur shall be filled by appointment by the Governor in the manner herein prescribed for original appointments. Provided, That the Governor may call upon the circuit judge or judges for additional lists of qualified electors whenever an appointment is to be made to fill any vacancy on said board. The

official term of each person so appointed shall be from the first Monday in December subsequent to the date of appointment. Said appointments shall be so made that the official term of one member of said board shall expire the first Monday in December of each year. Thereafter one member shall be appointed each year for the long term. The persons so appointed shall serve until their successors are appointed and have qualified and shall, before entering upon the discharge of their duties, take the constitutional oath of office and file the same in the office of the county clerk. The members of said board of jury commissioners shall each receive as compensation the sum of five dollars per day for actual services, and shall be reimbursed for expenses actually and necessarily incurred while engaged in the performance of duties pertaining to said office. All claims for compensation and for expenses shall be audited by the circuit judge or judges, and shall be paid by the county treasurer on the certificate of the county clerk under the seal of the circuit court."

3. By striking out of line 7 of section 9 the word "package" and inserting in lieu thereof the word "packages."

4. By striking out of line 4 of section 11 after the word "to" the word "a" and inserting in lieu thereof the words "the proper."

5. By striking out of line 6 of section 11 the words "who to the knowledge of all of the."

6. By striking out of line 7 of section 11 the words "three persons making such drawing."

7. By striking out of line 10 of section 17 the words "October or January."

8. By inserting in line 24 of section 17 after the word "to" the words "one of."

9. By striking out of line 25 of section 17 the words "chairman of the board of."

10. By striking out of line 6 of section 18 the words "chairman of the board of election inspectors" and inserting in lieu thereof the words "inspector of election."

11. By striking out section 21 of the bill and inserting a new section to stand as section 21 and to read as follows: "Section 21. All acts in any wise contravening the provisions of this act shall be superseded in those counties adopting the provisions of this act;"

Recommend that the amendments be concurred in, and that when so amended the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 155 (file No. 141), entitled

A bill to amend section 10 of Act No. 157 of the Public Acts of 1851,

as amended, entitled "An act to define the limits, jurisdiction and powers of circuit courts," being compiler's section 309 of the Compiled Laws of 1897, as amended by Act No. 309 of the Public Acts of 1905, approved June 17, 1905;

With the accompanying substitute therefor, having the following title:

A bill to amend section 10 of Act No. 157 of the Public Acts of 1851, entitled "An act to define the limits, jurisdiction and powers of circuit courts," being compiler's section 309 of the Compiled Laws of 1897, as amended by Act No. 309 of the Public Acts of 1905 and Act No. 161 of the Public Acts of 1907;

Recommend that the substitute be concurred in, and that the bill as substituted, pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the adoption of the substitute reported by the committee.

The motion prevailed.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 159 (file No. 143), entitled

A bill to amend sections 1, 16 and 25 of Act No. 183 of the Public Acts of 1899, being an act to amend Act No. 207 of the Public Acts of 1889, entitled "An act to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of vinous, malt, brewed, fermented, spirituous or intoxicating liquors, or any mixed liquor or beverage, any part of which is intoxicating, and to prohibit the keeping of any saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of such liquors or beverages, and to suspend the general laws of the State relative to the taxation and regulation of the manufacture and sale of such liquors in the several counties of this State under certain circumstances; to authorize the qualified electors of the several counties of this State to express their will in regard to such prohibition by an election, and to authorize and empower the boards of supervisors of the several counties, after such election, if they shall determine the result to be in favor of such prohibition, to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of any such liquors, or the keeping of a saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of the same in their respective counties, and to provide for penalties and rights of action in case of its violation;"

With the following amendment thereto:

1. By amending enacting section 1 to read as follows:

"Section 1. That sections 1, 16 and 25 of Act No. 207 of the Public Acts of 1889, approved June 29, 1889, entitled 'An act to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of vinous, malt, brewed, fermented, spirituous or intoxicating liquors, or any mixed liquor or beverage, any part of which is intoxicating, and to

prohibit the keeping of any saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of such liquors or beverages, and to suspend the general laws of the State relative to the taxation and regulation of the manufacture and sale of such liquors in the several counties in this State under certain circumstances; to authorize the qualified electors of the several counties of this State to express their will in regard to such prohibition by an election, and to authorize and empower the boards of supervisors of the several counties, after such election, if they shall determine the result to be in favor of such prohibition, to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of any such liquors, or the keeping of a saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of the same in their respective counties, and to provide for penalties and rights of action in case of its violation,' as amended by Act No. 183 of the Public Acts of 1899, approved April 18, 1899, are hereby amended, and one new section is added thereto to be known as section 26, said amended sections and added section to read as follows:"

Recommend that the amendment be concurred in, and that when so amended the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged. Mr. Wetmore moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

House bill No. 158 (file No. 100), entitled

A bill to repeal sections 1, 2, 3, 4, 5, 6 and 8 and to amend sections 7, 9, 10 and 11 of chapter 4 of act 161 of the Public Acts of 1881. entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being sections 4692, 4693, 4694, 4695, 4696, 4697, 4699 and sections 4698, 4700, 4701 and 4702 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

GEO. G. SCOTT,
Chairman.

The report was accepted and adopted and the committee discharged. The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

House bill No. 157 (file No. 84), entitled

A bill to amend sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of chapter 2 and sections 1, 2 and 3 of chapter 9 of Act 164 of the Public Acts of 1881,

entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being sections 4646, 4647, 4649, 4650, 4651, 4652, 4653, 4654, 4655, 4656, 4657, 4658 and sections 4743, 4744 and 4745 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

GEO. G. SCOTT,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

House bill No. 155 (file No. 101), entitled

A bill to repeal section 3 of chapter 13 of Act 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 4767 of the Compiled Laws of 1897; and to amend sections 1, 3, 5, 6, 7, 8, 9, 10, 11 and 13 of chapter 11, and sections 4, 5 and 8 of chapter 13 of said act, being sections 4752, 4754, 4756, 4757, 4758, 4759, 4760, 4761, 4762, 4764 and sections 4768, 4769 and 4772 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

GEO. G. SCOTT,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Forestry and State Lands:

The Committee on Forestry and State Lands reports

Senate bill No. 146 (file No. 132), entitled

A bill making an appropriation for the Michigan Forestry Commission;

With the recommendation that the bill be referred to the Committee on Finance and Appropriations.

EUGENE FOSTER,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Foster moved that the Senate concur in the recommendation of the committee that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed and the bill was so referred.

By the Committee on Elections:

The Committee on Elections reports

Senate bill No. 29 (file No. 26), entitled

A bill to amend sections 2, 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, 19, 20 and 21 of an act, entitled "An act to provide for the casting, registering, recording and counting of ballots or votes at any regular or special

election held in the State of Michigan, by means of voting machines; to provide for the purchase of same, and to repeal all acts or parts of acts inconsistent herewith," being Act No. 287 of the Public Acts of 1907, as amended by Act No. 7 of the Extra Session Laws of 1907, and to add three sections to stand as section 7a, section 7b, and section 7c, and to repeal all acts or parts of acts inconsistent herewith.

With the following amendments thereto:

1. By striking out of line 12 of section 4 the words "Two or more voting machines" and all of lines 13, 14, and 15 and inserting in lieu thereof the words "more than one voting machine may be provided and used in any election precinct."

2. By striking out of line 17 of section 7 the words "there shall also be mailed to each registered" and all of lines 18, 19, 20, 21, 22 and 23.

3. By striking out lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and the words "day, but" of line 16 of section 7a.

4. By inserting in line 16 of section 7a after the word "models" the words "containing fictitious names of candidates."

5. By striking out of line 21 of section 9 the word "one" and inserting in lieu thereof the word "two."

6. By striking out of line 22 of section 9 the words "from each of two political parties."

7. By striking out of line 6 of section 19 the word "an" and inserting in lieu thereof the word "another."

8. By striking out of line 7 of section 19 the words "of a different political party."

9. By striking out of line 22 of section 19 the word "an" and inserting in lieu thereof the word "another."

10. By striking out of lines 22 and 23 of section 19 the words "of a different political party;"

Recommend that the amendments be concurred in, and that when so amended the bill pass.

L. D. DICKINSON,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Dickinson moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

Mr. Kingman moved that the Senate take up the order of Motions and Resolutions.

The motion prevailed, two-thirds of all the Senators present voting therefor.

MOTIONS AND RESOLUTIONS.

Mr. Kingman offered the following resolution:

Senate resolution No. 80.

Whereas, An invitation has been extended to the Senate Committee on Cities and Villages and the House Committee on City Corporations to attend a meeting to be held in the city of Detroit, March 26, for the purpose of considering and discussing a proposed general act for the incorporation of cities, with representatives of various municipalities of the State; and

Whereas, The House Committee has accepted said invitation and has been authorized and directed to attend the same by the House of Representatives, therefore be it

Resolved, That the Senate Committee on Cities and Villages be and is hereby authorized to visit the city of Detroit and attend said meeting.

Mr. Kingman moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Moriarty moved that when the Senate adjourns today, it stand adjourned until tomorrow at 9 o'clock a. m.

The motion prevailed.

Mr. Moriarty moved that when the Senate adjourns tomorrow it stand adjourned until Monday, March 29, at 9 o'clock p. m.

The motion prevailed.

Mr. Kingman asked and obtained leave of absence for the Committee on Cities and Villages, consisting of Senators Tuttle, Scott, Taylor, Kingman and Fowle, from tomorrow's session, pursuant to Senate resolution No. 80.

Mr. Moriarty moved that the Senate take a recess until 7:30 o'clock p. m.

The motion prevailed, the time being 6 o'clock p. m.

AFTER RECESS.

7:30 o'clock p m.

The Senate was called to order by the President.
A quorum of the Senate was present.

The Senate took up the regular order of business.

Senator Tuttle entered the Senate Chamber and took his seat.

PRESENTATION OF PETITIONS.

No. 498. By Mr. Weter: Petition of John C. F. Dohrman and 16 other members of Elliot Grange No. 939, of St. Clair county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 499. By Mr. Dickinson: Petition of L. B. Taggart and 13 other members of Olivet Grange, of Eaton county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 500. By Mr. Wetmore: Petition of Isaac Huff and 33 other members of Platte Grange No. 1328, of Benzie county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 501. By Mr. Wetmore: Petition of Fred Rock and 10 other members of Clam Lake Grange No. 725, of Wexford county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 502. By Mr. Weter: Petition of W. H. Merritt and 101 other members of Riley Center Grange No. 569, of St. Clair county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 503. By Mr. Weter: Petition of William E. Howell and 11 other members of Douglas Grange No. 650, of Montcalm county, in favor of the passage of the Baker bill requiring telephone companies to interchange service.

The petition was referred to the Committee on Taxation.

No. 504. By Mr. Weter: Petition of John C. F. Dohrman and 16 other members of Elliott Grange No. 939, of St. Clair county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 505. By Mr. Wetmore: Petition of Isaac Huff and 49 other members of Platte Grange No. 1328, of Benzie county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 506. By Mr. Bates: Petition of D. G. Clack and 21 other members of Rural Grange No. 37, of Allegan county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 507. By Mr. Wetmore: Petition of Fred Rock and 10 other members of Clam Lake Grange No. 725, of Wexford county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 508. By Mr. Watkins: Protest of G. N. Greenwood and 11 other citizens of Jackson county against the passage of the Ormsbee bills.

The protest was referred to the Committee on Liquor Traffic.

No. 509. By Mr. Wetmore: Protest of R. E. Brown and 23 other members of Camp No. 6450, M. W. of A., of Honor, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 510. By Mr. Bolt: Protest of George R. Kensman and 11 other citizens of Muskegon county against the passage of any legislation providing for the withdrawal of State lands from sale.

The protest was referred to the Committee on Forestry and State Lands.

No. 511. By Mr. Kingman: Protest of Joseph H. Cowell and 8 other registered physicians of Michigan against the passage of the Giles optometry bill.

The protest was referred to the Committee on Public Health.

No. 512. By Mr. Kingman: Protest of Harold Wilson and 21 other registered physicians of Michigan on the same subject.

The protest was referred to the Committee on Public Health.

No. 513. By Mr. Newton: Protest of William Scotney and 20 other citizens of Ypsilanti against the passage of the Curtiss bill to license vendors of medicine.

The protest was referred to the Committee on Public Health.

No. 514. By Mr. Watkins: Protest of George Mann and 9 other citizens of Hillsdale county on the same subject.

The protest was referred to the Committee on Public Health.

No. 515. By Mr. Weter: Protest of Frank Bartel and 28 other citizens of St. Clair county against the passage of a law providing for a unit school system.

The protest was referred to the Committee on Education and Public Schools.

Mr. Wetmore asked and obtained leave of absence for himself from tomorrow's session and from the sessions of next week.

Mr. Wetmore asked and obtained leaves of absence for Messrs. Fairbanks and Ming from tomorrow's session.

Mr. Moriarty asked and obtained leave of absence for Mr. Ward from tomorrow's session and from the session of Monday.

Mr. Kingman asked and obtained leave of absence for himself from the session of Monday.

Messrs. Bolt, Collins, Kline, Snell, Watkins, White, Whitney and Weter asked and obtained leaves of absence for themselves from the sessions of tomorrow and Monday.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 24, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 222 (file No. 123), entitled

A bill to exempt from taxation bonds hereafter issued by any school district within the State of Michigan;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Taxation.

The following message from the House was also received and read:

House of Representatives,
March 24, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 207 (file No. 121), entitled

A bill to provide for the incorporation of Order of the Eastern Star associations;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Religious and Benevolent Societies.

The following message from the House was also received and read:

House of Representatives,
March 24, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 251 (file No. 119), entitled

A bill to amend sections 1, 2 and 3 of Act No. 141 of the Public Acts of 1905, as amended by Act No. 78 of the Public Acts of 1907, entitled "An act to provide for the exercise by religious societies of corporate powers for certain purposes;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Religious and Benevolent Societies.

The following message from the House was also received and read:

House of Representatives,
March 24, 1909.

To the President of the Senate:

Sir—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 77.

Relative to the death of the Right Reverend George de Normandie Gillespie of Grand Rapids;

In the adoption of which the House has concurred.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The following message from the House was also received and read:

House of Representatives,
March 25, 1909.

To the President of the Senate:

Sir—I am instructed by the House to return to the Senate the following concurrent resolution:

Senate resolution No. 78.

Requesting Michigan's representatives in Congress to use all honorable means to have the tariff or duty on iron ore maintained as at present.

In the adoption of which the House has concurred.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

UNFINISHED BUSINESS.

Senate resolution No. 79.

Offered by Mr. Ming March 24.

Whereas, The tax upon inheritances has always been regarded as strictly and peculiarly a source of State revenue, and

Whereas, The needs of the State of Michigan are so many that it cannot sacrifice or surrender a source of revenue which yields to this State a goodly amount of taxes each year, and

Whereas, The imposition of a Federal inheritance tax, in addition to the State inheritance tax, would be double taxation and most unjust; therefore be it

Resolved by the Senate (the House of Representatives concurring), That we respectfully request our Senators and Representatives in Congress from the State of Michigan to vote against the proposed Federal inheritance tax and devise some other suitable means of providing for the deficit in the national treasury.

Mr. Wetmore moved that the resolution be laid on the table.

The motion prevailed.

Mr. Whitney moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Bolt to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 24 (file No. 21), entitled

A bill making an appropriation for the Michigan State Prison for the fiscal year ending June 30, 1910, for the purpose of completing heating, lighting and power system, and to provide a tax to meet the same;

Also:

House bill No. 142 (file No. 90), entitled

A bill to provide for the transfer of certain military property belonging to the State to the State Board of Agriculture and the board of trustees of the Industrial School for Boys at Lansing;

Also:

Senate bill No. 127 (file No. 113), entitled

A bill to provide for the burial of the bodies of certain honorably discharged soldiers, sailors or marines, or the wives or widows of said soldiers, sailors or marines, or army nurses, in this State, who shall hereafter die without leaving means sufficient to defray funeral expenses and to repeal Act No. 39 of the Public Acts of 1905;

Also:

Senate bill No. 114 (file No. 103), entitled

A bill making it unlawful for any common carrier, inn-keeper or proprietor or lessee of any place of public amusement or entertainment, or any agent, servant or representative of any such common carrier, inn-keeper, proprietor or lessee as aforesaid, to debar from the full and equal enjoyment of the accommodations, advantages, facilities or privileges of any public conveyance on land or water, or any inn or place of public amusement or entertainment any person in the military or naval service of the United States or of this State and providing a remedy for such disbarment;

Also:

House bill No. 197 (file No. 104), entitled

A bill in relation to the supervision and control by the State Board of Health over waterworks systems and providing penalties for the violation of this act;

Also:

Senate substitute for Senate bill No. 83 (file No. 74), entitled

A bill to provide for the payment of tuition in and transportation to another district, of children who have completed the eighth grade in any school district; and to repeal Act No. 190 of the Public Acts of 1903 and all other acts and parts of acts in anywise contravening the provisions of this act;

Also:

House bill No. 65 (file No. 64), entitled

A bill defining the powers and duties of local health officers and boards of health in the matter of the protection of the people of the State of Michigan from the disease known as tuberculosis;

Also:

House bill No. 106 (file No. 48), entitled

A bill to amend section 9 of Act No. 134 of the Public Acts of 1885, entitled "An act to regulate the practice of pharmacy in the State of Michigan," as amended by Act No. 279 of the Public Acts of 1907;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate bill No. 30 (file No. 27), entitled

A bill in relation to the payment of deposits of money in banks and trust companies by minors, trust deposits, and deposits in the names of more than one person;

And has directed its chairman to report the same back to the Senate, with the recommendation that the bill be referred to the Committee on Judiciary.

TOM J. G. BOLT,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first, second, third, fourth, fifth, sixth, seventh and eighth named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the recommendation of the committee regarding the ninth named bill in the report and the bill was referred to the Committee on Judiciary.

THIRD READING OF BILLS.

Senate bill No. 24 (file No. 21), entitled

A bill making an appropriation for the Michigan State Prison for the fiscal year ending June 30, 1910, for the purpose of completing heating, lighting and power system, and to provide a tax to meet the same;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Atkin	Mr. Foster	Mr. Moriarty	Mr. Watkins
Barnaby	Fowle	Newton	Weter
Bates	Fox	Shields	Wetmore
Bolt	Kingman	Taylor	White
Collins	Kline	Tuttle	Whitney
Dickinson			

21

NAYS.

0

The title of the bill was agreed to.

Mr. Watkins moved that the bill be laid on the table.
The motion prevailed.

House bill No. 142 (file No. 90), entitled

A bill to provide for the transfer of certain military property belonging to the State to the State Board of Agriculture and the board of trustees of the Industrial School for Boys at Lansing;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Watkins	
Barnaby	Fowle	Newton	Weter	
Bates	Fox	Shields	Wetmore	
Bolt	Kingman	Taylor	White	
Collins	Kline	Tuttle	Whitney	
Dickinson				21

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 127 (file No. 113), entitled

A bill to provide for the burial of the bodies of certain honorably discharged soldiers, sailors or marines, or the wives or widows of said soldiers, sailors or marines, or army nurses in this State, who shall hereafter die without leaving means sufficient to defray funeral expenses, and to repeal Act No. 39 of the Public Acts of 1905;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Watkins	
Barnaby	Fowle	Newton	Weter	
Bates	Fox	Shields	Wetmore	
Bolt	Kingman	Taylor	White	
Collins	Kline	Tuttle	Whitney	
Dickinson				21

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 114 (file No. 103), entitled

A bill making it unlawful for any common carrier, inn-keeper or proprietor or lessee of any place of public amusement or entertainment, or any agent, servant or representative of any such common carrier, inn-keeper, proprietor or lessee as aforesaid, to debar from the full and equal enjoyment of the accommodations, advantages, facilities or privileges of any public conveyance on land or water, or any inn or place of public amusement or entertainment, any person in the military or naval service of the United States or of this State and providing a remedy for such disbarment;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Kline	Mr. Tuttle	
Barnaby	Foster	Moriarty	Watkins	
Bates	Fowle	Newton	Weter	
Bolt	Fox	Shields	Wetmore	
Collins	Kingman	Taylor	Whitney	20
				0

NAYS.

The title of the bill was agreed to.

House bill No. 197 (file No. 104), entitled

A bill in relation to the supervision and control by the State Board of Health over waterworks systems and providing penalties for the violation of this act.

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Watkins	
Barnaby	Fowle	Newton	Weter	
Bates	Fox	Shields	Wetmore	
Bolt	Kingman	Taylor	White	
Collins	Kline	Tuttle	Whitney	21
Dickinson				0

NAYS.

The title of the bill was agreed to.

Senate substitute for Senate bill No. 83 (file No. 74), entitled

A bill to provide for the payment of tuition in and transportation to another district, of children who have completed the eighth grade in any school district; and to repeal Act No. 190 of the Public Acts of 1903 and all other acts and parts of acts in anywise contravening the provisions of this act;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Kline	Mr. Tuttle	
Barnaby	Foster	Moriarty	Weter	
Bates	Fowle	Newton	Wetmore	
Bolt	Fox	Shields	White	
Collins	Kingman	Taylor	Whitney	20
				0

NAYS.

Mr. Watkins

1

The title of the bill was agreed to.

House bill No. 65 (file No. 64), entitled

A bill defining the powers and duties of local health officers and boards of health in the matter of the protection of the people of the State of Michigan from the disease known as tuberculosis;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Watkins	
Barnaby	Fowle	Newton	Weter	
Bates	Fox	Shields	Wetmore	
Bolt	Kingman	Taylor	White	
Collins	Kline	Tuttle	Whitney	
Dickinson				21

NAYS.

0

The title of the bill was agreed to.

House bill No. 106 (file No. 48), entitled

A bill to amend section 9 of Act No. 134 of the Public Acts of 1885, entitled "An act to regulate the practice of pharmacy in the State of Michigan," as amended by Act No. 279 of the Public Acts of 1907;

Was read a third time and not passed, a majority of all the Senators-elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fowle	Mr. Kline	Mr. Newton	
Bates	Fox	Moriarty	Watkins	
Dickinson	Kingman			10

NAYS.

Mr. Barnaby	Mr. Foster	Mr. Tuttle	Mr. White	
Bolt	Shields	Weter	Whitney	
Collins	Taylor	Wetmore		11

Mr. Newton moved to reconsider the vote by which the Senate failed to pass the above entitled bill.

The motion prevailed.

Mr. Newton moved that the bill be laid on the table.

The motion prevailed.

Mr. Barnaby moved that the Senate adjourn.

The motion prevailed, the time being 9:40 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 9 o'clock a. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FORTY-SEVENTH DAY.

Lansing, Friday, March 26.

9 o'clock a. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Barnaby, Bates, Dickinson, Foster, Fox, Moriarty, Newton, Shields, Smith—10.

The following Senators were absent with leave: Messrs. Bolt, Collins, Fairbanks, Fowle, Kingman, Kline, Krueger, MacKay, Ming, Scott, Snell, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—19.

The following Senators were absent without leave: Messrs. Anhut, Bradley, Mapes—3.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the President declared the Senate adjourned until Monday, March 29, at 9 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FORTY-EIGHTH DAY.

Lansing, Monday, March 29.

9 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Dickinson, Foster, Fowle, Fox, Kline, Ming, Moriarty, Newton, Shields, Tuttle, Ward, Weter—14.

The following Senators were absent with leave: Messrs. Bolt, Collins, Kingman, Krueger, Snell, Watkins, Wetmore, White, Whitney—9.

The following Senators were absent without leave: Messrs. Barnaby, Bates, Bradley, Fairbanks, MacKay, Mapes, Scott, Smith, Taylor—9.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FORTY-NINTH DAY.

Lansing, Tuesday, March 30.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. J. W. Harmon, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Taylor, Tuttle, Ward, Weter, White, Whitney—27.

The following Senators were absent with leave: Messrs. Krueger, Wetmore—2.

The following Senators were absent without leave: Messrs. Bolt, Snell, Watkins—3.

Mr. MacKay moved that leaves of absence be granted to the absentees from today's session.

The motion prevailed.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that

Senate bill No. 197 (file No. 183);
Senate bill No. 198 (file No. 184);
Senate bill No. 199 (file No. 185);
Senate bill No. 200 (file No. 186);
Senate bill No. 201 (file No. 187);
Senate bill No. 202 (file No. 188);
Senate bill No. 203 (file No. 189);
Senate bill No. 204 (file No. 190);
Senate bill No. 205 (file No. 191);
Senate bill No. 206 (file No. 192);
Senate bill No. 207 (file No. 193);
Senate bill No. 208 (file No. 194);
Senate bill No. 209 (file No. 195);
Senate bill No. 210 (file No. 196);
Senate bill No. 211 (file No. 197);
Senate bill No. 212 (file No. 198);

Senate bill No. 213 (file No. 199);
Senate bill No. 214 (file No. 200);
Senate bill No. 215 (file No. 201);
Sub. for Senate bill No. 176 (file No. 202);
Sub. for Senate bill No. 83 (file No. 203);
Senate bill No. 218 (file No. 204);
Senate bill No. 217 (file No. 205);

Senate re-print of

House bill No. 229 (file No. 88);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

The Secretary announced that the following bill had been printed and that it was presented to the Governor for approval March 29:

Senate bill No. 150 (file No. 136, enrolled No. 14).

PRESENTATION OF PETITIONS.

No. 516. By Mr. Aitkin: Petition of George Amos and 20 other citizens of Huron county in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 517. By Mr. Aitkin: Petition of Fred R. Marvin and 22 other citizens of Sanilac county on the same subject.

The petition was referred to the Committee on Taxation.

No. 518. By Mr. Fox: Petition of O. A. Lintz and 39 other members of Fostoria Grange No. 782, of Tuscola county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 519. By Mr. Fowle: Petition of Arthur J. Everett and 14 other members of Elmwood Grange No. 1344, of Chippewa county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 520. By Mr. Fowle: Petition of Enos W. Stauffer and 10 other members of Germfask Grange No. 1339, of Schoolcraft county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 521. By Mr. Dickinson: Petition of Lyle E. Tobias and 11 other members of Union Grange No. 648, of Barry county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 522. By Mr. Taylor: Petition of G. D. Prentice and 19 other members of Burr Oak Grange No. 1350, of St. Joseph county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 523. By Mr. Fairbanks: Petition of A. M. Robbins and 17 other members of Hart Grange No. 1088, of Oceana county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 524. By Mr. Weter: Petition of Fred Ulrich and 18 other members of Clyde Grange No. 1239, of St. Clair county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 525. By Mr. Ward: Petition of William F. Clark and 61 other members of Coldwater Grange No. 1168, of Isabella county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 526. By Mr. Aitkin: Petition of William Wehr and 20 other citizens of Sanilac and Huron counties in favor of the passage of the Baker bill requiring telephone companies to interchange service.

The petition was referred to the Committee on State Affairs.

No. 527. By Mr. Aitkin: Petition of George T. Black and 17 other citizens of Sanilac county on the same subject.

The petition was referred to the Committee on State Affairs.

No. 528. By Mr. Taylor: Petition of George D. Prentice and 17 other members of Burr Oak Grange No. 1350, of St. Joseph county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 529. By Mr. Fox: Petition of O. A. Lintz and 39 other members of Fostoria Grange No. 782, of Tuscola county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 530. By Mr. Dickinson: Petition of Lyle E. Tobias and 14 other members of Union Grange No. 648, of Barry county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 531. By Mr. Fowle: Petition of Norman Stauffer and 11 other members of Germfask Grange No. 1339, of Schoolcraft county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 532. By Mr. Fowle: Petition of G. Carl Gowan and 14 other members of Elmwood Grange No. 1344, of Chippewa county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 533. By Mr. Collins: Petition of Arthur Turner and 12 other citizens of Bay county on the same subject.

The petition was referred to the Committee on State Affairs.

No. 534. By Mr. Collins: Petition of Asa Richardson and 14 other citizens of Midland county on the same subject.

The petition was referred to the Committee on State Affairs.

No. 535. By Mr. Ming: Petition of H. B. Jones and 18 other members of Weadock Grange No. 1145, of Cheboygan county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 536. By Mr. Fairbanks: Petition of N. M. Leland and 16 other members of Hart Grange No. 1088, of Oceana county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 537. By Mr. Fairbanks: Petition of Marvin Young and 43 other members of Harmony Grange No. 1075, of Mason county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 538. By Mr. Fairbanks: Petition of J. K. Olmstead and 19 other citizens of Mason county on the same subject.

The petition was referred to the Committee on State Affairs.

No. 539. By Mr. Ward: Petition of William F. Clark and 61 other members of Coldwater Grange No. 1168, of Isabella county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 540. By Mr. Fairbanks: Resolutions of Newaygo county Grange in favor of the passage of the Baker bills requiring telephone companies to interchange service and to provide for the Torrens system of registration of land titles.

The resolutions were referred to the Committee on State Affairs.

No. 541. By Mr. Barnaby: Protest of S. A. Gale and 28 other members of Thornapple Camp No. 10822, M. W. of A., of Cascade, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 542. By Mr. Smith: Protest of W. A. Sawyer and 41 other members of the M. W. of A., of Rockland, on the same subject.

The protest was referred to the Committee on Insurance.

No. 543. By Mr. Fowle: Petition of B. P. Pollock and 36 other citizens of Manistique in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 544. By Mr. Fowle: Petition of W. F. Crane and 22 other citizens of Manistique on the same subject.

The petition was referred to the Committee on Public Health.

No. 545. By Mr. Fowle: Petition of Rev. H. J. Ellis and 37 other citizens of Manistique on the same subject.

The petition was referred to the Committee on Public Health.

No. 546. By Mr. Shields: Protest of Henry Durfee and 49 other citizens of Livingston county against the passage of the Curtiss bill to license vendors of medicine.

The protest was referred to the Committee on Public Health.

No. 547. By Mr. Shields: Protest of Frank Johnson and 34 other citizens of Livingston county on the same subject.

The protest was referred to the Committee on Public Health.

No. 548. By Mr. Shields: Protest of W. G. Chubb and 32 other citizens of Livingston county on the same subject.

The protest was referred to the Committee on Public Health.

No. 549. By Mr. Shields: Protest of Dewitt Randall and 115 other citizens of Livingston county on the same subject.

The protest was referred to the Committee on Public Health.

No. 550. By Mr. Newton: Protest of J. C. Cowan and 100 other citizens of Ypsilanti on the same subject.

The protest was referred to the Committee on Public Health.

No. 551. By Mr. Ward: Protest of Samuel Barnard and 81 other citizens of Mecosta county on the same subject.

The protest was referred to the Committee on Public Health.

No. 552. By Mr. Fairbanks: Petition of T. J. Elton and 30 other citizens of Manistee in favor of the passage of the firemen's pension bill.

The petition was referred to the Committee on State Affairs.

No. 553. By Mr. Fairbanks: Protest of P. Peterson and 15 other citizens of Manistee county against the passage of Senate bill No. 194, known as the Ming fish bill.

The protest was referred to the Committee on Fisheries.

No. 554. By Mr. Fairbanks: Protest of Henry C. Ransom and 90 other citizens of Mason county on the same subject.

The protest was referred to the Committee on Fisheries.

No. 555. By Mr. Anhut: Petition of the Twentieth Century Club of Detroit urging legislation changing the present system of electing members of boards of education.

The petition was referred to the Committee on Education and Public Schools.

No. 556. By Mr. Fowle: Resolutions of Colonel E. H. Liscum Post No. 343, G. A. R., of Sault Ste. Marie, in favor of the passage of House bill No. 95, known as the Chandler bill.

The resolutions were referred to the Committee on Taxation.

No. 557. By Mr. Shields: Petition of William Holcomb and 68 other citizens of Livingston county urging the passage of legislation looking to the eradication of tuberculosis in cattle.

The petition was referred to the Committee on Public Health.

No. 558. By Mr. Ming: Petition of Graham S. Witte and 29 other citizens of Houghton in favor of the passage of the Ming employer's liability bill.

The petition was referred to the Committee on Judiciary.

No. 559. By Mr. Whitney: Resolution adopted by the United Mine Workers of America, District No. 24, of Saginaw, protesting against the passage of legislation permitting the placing of fish nets of any kind in the Saginaw river and its tributaries.

Mr. Whitney moved that the resolution be spread at length in the Journal.

The motion prevailed.

The following is the resolution:

Resolved, That we, the delegates to the eleventh convention of District No. 24, U. M. W. of A., which convened in Saginaw, March 9, 1909, do most emphatically protest against any legislation which will permit the placing of fish nets of any kind in the Saginaw river and its tributaries.

The resolution was referred to the Committee on Fisheries.

MOTIONS AND RESOLUTIONS.

Mr. Tuttle asked and obtained leave of absence for himself from the remainder of today's session.

Mr. Dickinson moved to discharge the committee of the whole from the further consideration of

Senate bill No. 159 (file No. 143), entitled

A bill to amend sections 1, 16 and 25 of Act No. 183 of the Public Acts of 1899, being an act to amend Act No. 207 of the Public Acts

of 1889, entitled "An act to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of vinous, malt, brewed, fermented, spirituous or intoxicating liquors or any mixed liquor or beverage, any part of which is intoxicating, and to prohibit the keeping of any saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of such liquors or beverages, and to suspend the general laws of the State relative to the taxation and regulation of the manufacture and sale of such liquors in the several counties of this State under certain circumstances; to authorize the qualified electors of the several counties of this State to express their will in regard to such prohibition by an election, and to authorize and empower the boards of supervisors of the several counties, after such election, if they shall determine the result to be in favor of such prohibition, to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of any such liquors, or the keeping of a saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of the same in their respective counties, and to provide for penalties and rights of action in case of its violation."

The motion prevailed.

Mr. Dickinson moved that the bill be referred to the Committee on Judiciary.

The motion prevailed and the bill was so referred.

Mr. Dickinson moved to take from the Order of Third Reading of Bills

Senate bill No. 158 (file No. 142), entitled

A bill to provide for the better enforcement of laws regulating, restricting or prohibiting the manufacture or sale of intoxicating liquors as a beverage or the keeping of any place for the manufacture or sale of such liquors by providing for the search for and seizure of any such liquors kept for illicit sale; providing that all packages containing intoxicating liquors shall be so labeled and that it shall be unlawful for common carriers to transport intoxicating liquors under false names; and providing that all sales known as C. O. D. shipments shall be held to be made at the place of destination; and providing that all clubs where intoxicating liquors are kept for the individual use of the members thereof shall be held to be a place where intoxicating liquors are furnished or given away, and defining the term "intoxicating liquors."

The motion prevailed.

Mr. Dickinson moved that the bill be referred to the Committee on Judiciary.

The motion prevailed and the bill was so referred.

Mr. Bates offered the following resolution:

Senate resolution No. 81.

Whereas, An appropriation has been asked for the Mackinac Island State Park; and

Whereas, It is the desire of the Committee on Finance and Appropriations that one member of the committee be sent to inspect the needs of said Park; therefore be it

Resolved, That Senator Fairbanks of the Committee on Finance and Appropriations be and he is hereby authorized to visit and inspect the said Mackinac Island State Park.

Mr. Fowle moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on Railroads:

The Committee on Railroads reports

Senate bill No. 188 (file No. 172), entitled

A bill in relation to the publication in newspapers of the time schedules of carriers of passengers within this State;

With the following amendments thereto:

1. By striking out of line 2 of section 1 the words "or other carrier of" and inserting in lieu thereof the word "carrying."

2. By striking out of line 4 of section 1 the words "or other vehicles carrying passengers."

3. By striking out of line 2 of section 2 the words "or other vehicles."

4. By striking out of line 3 of section 2 the words "or other carrier of passengers."

5. By striking out of line 5 of section 2 the words "or vehicles."

6. By striking out of line 6 of section 2 the words "or vehicles."

7. By striking out of line 2 of section 3 the words "or other carrier of" and inserting in lieu thereof the word "carrying."

8. By striking out of line 3 of section 3 the words "or carrier."

9. By striking out of line 1 of section 4 the words "or other carrier of" and inserting in lieu thereof the word "carrying;"

Recommend that the amendments be concurred in, and that when so amended the bill pass.

ERASTUS N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Bates moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Roads and Bridges:

The Committee on Roads and Bridges reports

House bill No. 232 (file No. 99), entitled

A bill to amend section 1 of chapter 5 of Act No. 254 of the Public Acts of 1897, entitled "An act to provide for the construction and maintenance of drains and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto," the same being com-

piler's section 4344 of the Compiled Laws of 1897, having been last amended by Act No. 272 of the Public Acts of 1899;

With the following amendments thereto:

1. By inserting in line 3 of section 1, after the word "traversed," the words, "or benefited."

2. By striking out of line 6 of section 1, the words, "or townships."

3. By inserting in line 8 of section 1, after the word, "drain," the words, "unless the township highway commissioner shall, before such apportionment is made, certify in writing to such drain commissioner that as a means of improving any highway within the township, it is necessary that more than twenty-five per cent. of the entire cost be assessed to such township, in which case the county drain commissioner shall determine the percentage of the entire cost to be assessed to such township;"

Recommend that the amendments be concurred in, and that when so amended the bill pass.

EDWIN G. FOX,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Fox moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Fisheries:

The Committee on Fisheries reports

Senate bill No. 74 (file No. 67), entitled

A bill to amend section 5 of Act No. 111 of the Public Acts of 1889, approved May 24, 1889, entitled "An act to protect fish and to regulate fishing in the waters of this State by providing closed seasons for certain kinds of fish; by prohibiting the catching of fish in certain specified ways; by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes; by prohibiting the obstruction of the free passage of fish and by prohibiting the sale of certain kinds of fish; to protect persons engaged in fish culture and to repeal inconsistent acts," as amended by Act No. 163 of the Public Acts of 1891, being section 5865 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

FRED R. MING,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 77, entitled

A bill relative to the payment of the salary or compensation of all officers and employes of the State;

With the recommendation that the bill pass.

FRED R. MING,
Acting Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

House bill No. 97 (file No. 38), entitled

A bill to place under the control and management of the board of commissioners of Mackinac Island State Park the site formerly occupied as a military post under the name of Fort Michilimackinac, in the village of Mackinaw City, in the county of Cheboygan, Michigan, heretofore conveyed to the State of Michigan by said village of Mackinaw City under and by virtue of the provisions of Act No. 520 of the Local Acts of 1903, known as Wawatam Park, defining the power and authority of said Mackinac Island State Park board therein, and to authorize it to make, publish and enforce rules and regulations for the care, order and preservation thereof;

With the following amendments thereto:

1. By inserting in line 11 of section 1 after the word, "Michilimackinac," the word, "State."
2. By striking out of line 11 of section 1 the word, "Fort."
3. By inserting in line 3 of section 2 after the word, "Michilimackinac," the words, "State Park;"

Recommend that the amendments be concurred in, and that when so amended the bill pass.

FRED R. MING,
Acting Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Ming moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Horticulture:

The Committee on Horticulture reports

Senate bill No. 57 (file No. 53), entitled

A bill to prevent fraud in the sale of Paris green, London purple or other drugs used as insecticides;

With the recommendation that the bill pass.

E. N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Education and Public Schools:
The Committee on Education and Public Schools reports
Senate bill No. 161 (file No. 145), entitled

A bill to amend Act No. 35 of the Public Acts of 1907, entitled "An act to provide for the establishment of county schools of agriculture, manual training and domestic economy," by adding thereto a new section to be numbered section 10;

With the following amendment thereto:

1. By inserting in line 4 of section 10 after the word "college" the words "and which shall have expended at least twenty thousand dollars in buildings and equipment and shall have acquired at least one hundred acres of land to be used in connection with said school;"

Recommend that the amendment be concurred in, and that when so amended the bill pass.

GEO. G. SCOTT,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Scott moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 29, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 81 (file No. 124), entitled

A bill to provide for the examination, regulation, licensing and registration of optometrists practicing optometry, and for the punishment of offenders against this act;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,
March 29, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 218 (file No. 129), entitled

A bill to provide for the incorporation of lodges of the Kalevan Ritariit;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Religious and Benevolent Societies.

The following message from the House was also received and read:

House of Representatives,

March 29, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 243 (file No. 134), entitled

A bill to amend sections 1 and 6 of Act No. 244 of the Public Acts of 1907, entitled "An act to protect the title and to regulate the practice of veterinary medicine and surgery in all its various branches in the State of Michigan; providing for a State Veterinary Board and prescribing its duties; regulating existing practitioners; governing undergraduates and reciprocity with other states and provinces; prescribing penalties for its violation and repealing all inconsistent acts," approved June 27, 1907;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,

March 29, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 34 (file No. 135), entitled

A bill to amend sections 5 and 9 of Act No. 143 of the Public Acts of 1903, entitled "An act to provide for the government, management and control of the State Public School at Coldwater, and to repeal all acts or parts of acts inconsistent with this act," as amended by Act No. 301

of the Public Acts of 1907; and to add a new section to said Act No. 143;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on State Public School.

The following message from the House was also received and read:

House of Representatives,
March 29, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 57 (file No. 136), entitled

A bill to amend section 7 of Act 6 of the Public Acts of 1907, extra session, entitled "An act to define, and to regulate the treatment and control of, dependent, neglected and delinquent children; to prescribe the jurisdiction of the probate courts and the powers, duties and compensation of the probate judges with regard thereto; to provide for the appointment of county agents and probation officers and to prescribe their powers, duties and compensation;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 29, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 314 (file No. 138), entitled

A bill to amend section 29 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," said section being compiler's section 391 of the Compiled Laws of 1897, and to repeal Act No. 17 of the Public Acts of 1905 amendatory thereof;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 26, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 73 (file No. 40), entitled

A bill to declare telephone lines and telephone companies within the State of Michigan to be common carriers, to regulate the same, and prescribing a penalty for the violation of this act;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

The following message from the House was also received and read:

House of Representatives,
March 26, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 132 (file No. 118), entitled

A bill to amend section 1 of Act No. 154 of the Public Acts of 1893, entitled "An act to provide for the extension of the term of existence of corporations or associations organized under Act No. 87 of Acts of the Legislature of the State of Michigan of 1855, approved February 12, 1855, entitled 'An act relating to burying grounds,' or under said act as amended, the corporate term of existence of which has heretofore expired or may hereafter expire by limitation, and to fix the duties and liabilities of such renewed corporations or associations," being section 8398 of the Compiled Laws of 1897, and to add another section to said Act 154;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Religious and Benevolent Societies.

INTRODUCTION OF BILLS.

Mr. Smith introduced

Senate bill No. 219, entitled

A bill to amend section 20 of Act No. 113 of the Public Acts of 1877, entitled "An act to revise the laws providing for the incorporation of companies for mining, smelting and manufacturing iron, copper, silver, mineral coal and other ores or minerals, and to fix the duties and liabilities of such corporations," being compiler's section 7010 of the Compiled Laws of 1897, relating to the increase or diminution of the capital stock of such companies.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Mapes introduced

Senate bill No. 220, entitled

A bill defining bills of lading to be issued by common carriers, railroads and transportation companies, prescribing as to the form, issue, use and surrender thereof, providing penalties for the violation of this act and repealing acts inconsistent herewith.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Banks and Corporations.

Mr. Kingman introduced

Senate bill No. 221, entitled

A bill providing for physical education in city schools and in all educational institutions supported wholly or in part by the State; in all normals and teachers' institutes; also permissive in towns, villages and rural districts.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Ming introduced

Senate bill No. 222, entitled

A bill to amend section 11 of Act No. 194 of the Public Acts of 1889, entitled "An act to revise and consolidate the laws relative to the State Board of Education," said section being compiler's section 1822 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Foster introduced

Senate bill No. 223, entitled

A bill to amend section 36 of chapter 176 of the Compiled Laws of 1871, relative to courts of chancery, as amended by Act No. 260 of the Public Acts of 1887, the same being compiler's section 448 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Foster introduced

Senate bill No. 224, entitled

A bill to encourage private forestry, the care and management thereof and to provide for the exemption from taxation of such private forest reserves.

The bill was read a first and second time by its title and referred to the Committee on Forestry and State Lands.

Mr. Bates moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Aitkin to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

House bill No. 40 (file No. 46), entitled

A bill to amend section 14 of Act 156 of the Public Acts of 1851, as amended by Act No. 46 of the Public Acts of 1905, same being section 2487 of the Compiled Laws of 1897, and relating to the organization, vacation, division or alteration of townships;

Also:

House bill No. 230 (file No. 93), entitled

A bill to regulate the sale of cocaine, its salts; alpha or beta eucaine, their salts; or any preparation of cocaine or its salts; or any preparation of alpha or beta eucaine or their salts; or any compound, mixture, solution or other product of which cocaine or any of its salts or alpha or beta eucaine or any of their salts may be an ingredient;

Also:

Senate bill No. 143 (file No. 129), entitled

A bill to amend section 22 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May 29, 1897, being compiler's section

377 of the Compiled Laws of 1897, as amended by Act No. 75 of the Public Acts of 1903;

Also:

Senate bill No. 40 (file No. 38), entitled

A bill to amend section 8 of chapter 16 of the Revised Statutes of 1846, entitled "On the powers and duties of townships, and election and duties of township officers," said section being 2275 of the Compiled Laws of 1897;

Also:

Senate bill No. 155 (file No. 141), entitled

A bill to amend section 10 of Act No. 157 of the Public Acts of 1851, as amended, entitled "An act to define the limits, jurisdiction and powers of circuit courts," being compiler's section 309 of the Compiled Laws of 1897, as amended by Act No. 309 of the Public Acts of 1905, approved June 17, 1905;

Also:

House bill No. 158 (file No. 100), entitled

A bill to repeal sections 1, 2, 3, 4, 5, 6 and 8 and to amend sections 7, 9, 10 and 11 of chapter 4 of Act 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being sections 4692, 4693, 4694, 4695, 4696, 4697, 4699 and sections 4698, 4700, 4701 and 4702 of the Compiled Laws of 1897;

Also:

House bill No. 157 (file No. 84), entitled

A bill to amend sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of chapter 2 and sections 1, 2 and 3 of chapter 9 of Act 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools and to repeal all statutes and acts contravening the provisions of this act," being sections 4646, 4647, 4649, 4650, 4651, 4652, 4653, 4654, 4655, 4656, 4657, 4658, and sections 4743, 4744 and 4745 of the Compiled Laws of 1897;

Also:

House bill No. 155 (file No. 101), entitled

A bill to repeal section 3 of chapter 13 of Act 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 4767 of the Compiled Laws of 1897; and to amend sections 1, 3, 5, 6, 7, 8, 9, 10, 11 and 13 of chapter 11 and sections 4, 5 and 8 of chapter 13 of said act, being sections 4752, 4754, 4756, 4757, 4758, 4759, 4760, 4761, 4762, 4764, and sections 4768, 4769 and 4772 of the Compiled Laws of 1897;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate bill No. 119 (file No. 104), entitled

A bill to amend section 1 of Act No. 262 of the Public Acts of 1897, entitled "An act to require township boards to make public annually an itemized statement of the condition of the finances of the township, in relation to the receipts and disbursements made by the township board," said section being compiler's section 2350 of the Compiled Laws of 1897;

Also:

Senate bill No. 176 (file No. 202), entitled

A bill to amend section 28 of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien upon the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891, and all other acts and parts of acts in anywise contravening any of the provisions of this act." the same being compiler's section 3851 of the Compiled Laws of 1897, as amended by Act No. 129 of the Public Acts of 1901;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in, and recommend that, as amended, the bills pass.

Also:

House bill No. 129 (file No. 73), entitled

A bill to promote the safe transportation of explosives and other dangerous articles and to provide penalties for its violation;

And has directed its chairman to report the same back to the Senate, with the recommendation that the bill be re-referred to the Committee on Railroads.

Also:

Senate bill No. 95 (file No. 85), entitled

A bill to provide for a board of jury commissioners in each county in this State, to prescribe the manner of selecting jurors, and prescribing punishment for a violation of this act;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in, and recommend that, as amended, the bill be reprinted for the use of the Senate.

Also:

Senate bill No. 29 (file No. 26), entitled

A bill to amend sections 2, 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, 19, 20 and 21, of an act entitled "An act to provide for the casting, registering, recording and counting of ballots or votes at any regular or special election held in the State of Michigan by means of voting machines; to provide for the purchase of same and to repeal all acts or parts of acts inconsistent herewith," being Act No. 287 of the Public Acts of 1907, as amended by Act No. 7 of the Extra Session Laws of 1907, and to add three sections to stand as section 7a, section 7b and section 7c and to repeal all acts or parts of acts inconsistent herewith;

And has directed its chairman to report the same back to the Senate, but not having completed the consideration thereof, reports progress and asks leave to sit again on the bill.

WILLIAM H. AITKIN,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first eight bills named in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendments made to the ninth and tenth named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendments and, in the recommendation of the committee regarding the eleventh named bill in the report and the bill was referred to the Committee on Railroads.

The Senate concurred in the amendments made to the twelfth named bill in the report and the bill was placed on the order of third reading of bills.

The Senate also concurred in the recommendation of the committee regarding the twelfth named bill in the report and the bill was ordered reprinted for the use of the Senate.

The Senate concurred in the recommendation of the committee regarding the thirteenth named bill in the report and the committee was granted leave to sit again on the bill.

Mr. Newton, by unanimous consent, moved to take from the table House bill No. 106 (file No. 48), entitled

A bill to amend section 9 of Act No. 134 of the Public Acts of 1885, entitled "An act to regulate the practice of pharmacy in the State of Michigan," as amended by Act No. 279 of the Public Acts of 1907.

The motion prevailed.

The question being on the passage of the bill,

Mr. Shields moved that the bill be laid on the table.

The motion prevailed.

The Senate resumed the regular order of business.

THIRD READING OF BILLS.

House bill No. 40 (file No. 46), entitled

A bill to amend section 14 of Act 156 of the Public Acts of 1851, as amended by Act No. 46 of the Public Acts of 1905, same being section 2487 of the Compiled Laws of 1897, and relating to the organization, vacation, division or alteration of townships;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Mapes	Mr. Taylor
Barnaby	Fowle	Ming	Ward
Bates	Fox	Moriarty	Weter
Collins	Kingman	Newton	White
Dickinson	Kline	Shields	Whitney
Fairbanks	MacKay	Smith	
			23

NAYS.

0

The title of the bill was agreed to.

House bill No. 230 (file No. 93), entitled

A bill to regulate the sale of cocaine, its salts; alpha or beta eucaine, their salts; or any preparation of cocaine or its salts; or any preparation of alpha or beta eucaine, or their salts; or any compound, mixture, solution or other product of which cocaine or any of its salts or alpha or beta eucaine or any of their salts may be an ingredient;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. MacKay	Mr. Smith
Anhut	Foster	Mapes	Taylor
Barnaby	Fowle	Ming	Ward
Bates	Fox	Moriarty	Weter
Collins	Kingman	Newton	White
Dickinson	Kline	Shields	Whitney
			24

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 143 (file No. 129). entitled

A bill to amend section 22 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May 29, 1897, being compiler's section 377 of the Compiled Laws of 1897, as amended by Act No. 75 of the Public Acts of 1903;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. MacKay	Mr. Smith
Anhut	Foster	Mapes	Taylor
Barnaby	Fowle	Ming	Ward
Bates	Fox	Moriarty	Weter
Collins	Kingman	Newton	White
Dickinson	Kline	Shields	Whitney
			24

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 40 (file No. 38), entitled

A bill to amend section 8 of chapter 16 of the Revised Statutes of 1846, entitled "On the powers and duties of townships, and election and duties of township officers," said section being 2275 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. MacKay	Mr. Smith	
Anhut	Foster	Mapes	Taylor	
Barnaby	Fowle	Ming	Ward	
Bates	Fox	Moriarty	Weter	
Collins	Kingman	Newton	White	
Dickinson	Kline	Shields	Whitney	
				24

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 155 (file No. 141), entitled

A bill to amend section 10 of Act No. 157 of the Public Acts of 1851, as amended, entitled "An act to define the limits, jurisdiction and powers of circuit courts," being compiler's section 309 of the Compiled Laws of 1897, as amended by Act No. 309 of the Public Acts of 1905, approved June 17, 1905;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. MacKay	Mr. Smith	
Anhut	Foster	Mapes	Taylor	
Barnaby	Fowle	Ming	Ward	
Bates	Fox	Moriarty	Weter	
Collins	Kingman	Newton	White	
Dickinson	Kline	Shields	Whitney	
				24

NAYS.

0

The title of the bill was agreed to.

House bill No. 158 (file No. 100), entitled

A bill to repeal sections 1, 2, 3, 4, 5, 6 and 8 and to amend sections 7, 9, 10 and 11 of chapter 4 of Act 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being sections 4692, 4693, 4694, 4695, 4696, 4697, 4699 and sections 4698, 4700, 4701 and 4702 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor. by yeas and nays, as follows:

YEAS.

Mr. Attkin	Mr. Fairbanks	Mr. MacKay	Mr. Smith
Anhut	Foster	Mapes	Taylor
Barnaby	Fowle	Ming	Ward
Bates	Fox	Moriarty	Weter
Collins	Kingman	Newton	White
Dickinson	Kline	Shields	Whitney

24

NAYS.

0

The title of the bill was agreed to.

House bill No. 157 (file No. 84), entitled

A bill to amend sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of chapter 2 and sections 1, 2 and 3 of chapter 9 of Act 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools and to repeal all statutes and acts contravening the provisions of this act," being sections 4646, 4647, 4649, 4650, 4651, 4652, 4653, 4654, 4655, 4656, 4657, 4658 and sections 4743, 4744 and 4745 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Attkin	Mr. Fairbanks	Mr. MacKay	Mr. Smith
Anhut	Foster	Mapes	Taylor
Barnaby	Fowle	Ming	Ward
Bates	Fox	Moriarty	Weter
Collins	Kingman	Newton	White
Dickinson	Kline	Shields	Whitney

24

NAYS.

0

The title of the bill was agreed to.

House bill No. 155 (file No. 101), entitled

A bill to repeal section 3 of chapter 13 of Act 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 4767 of the Compiled Laws of 1897; and to amend sections 1, 3, 5, 6, 7, 8, 9, 10, 11 and 13 of chapter 11 and sections 4, 5 and 8 of chapter 13 of said act, being sections 4752, 4754, 4756, 4757, 4758, 4759, 4760, 4761, 4762, 4764, and sections 4768, 4769 and 4772 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Atkin	Mr. Fairbanks	Mr. MacKay	Mr. Taylor	
Anhut	Foster	Mapes	Ward	
Barnaby	Fowle	Ming	Weter	
Bates	Fox	Moriarty	White	
Collins	Kingman	Newton	Whitney	
Dickinson	Kline	Shields		23

NAYS.

0

The title of the bill was agreed to.

Mr. Fox moved that the Senate adjourn.

The motion prevailed, the time being 5:40 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FIFTIETH DAY.

Lansing, Wednesday, March 31.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. J. W. Harmon, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, White, Whitney—30.

The following Senator was absent with leave: Mr. Wetmore—1.

The following Senator was absent without leave: Mr. Bradley—1.

Mr. Collins moved that leave of absence be granted to the absentee from today's session.

The motion prevailed.

Mr. Snell asked and obtained leave of absence for himself from the sessions of tomorrow and Friday.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
March 31, 1909.

To the President of the Senate:

Sir:—I have this day approved, signed and deposited in the office of the Secretary of State

Senate bill No. 20 (enrolled No. 8), being

An act to amend section 98a of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied, making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased, and to repeal

Act No. 200 of the Public Acts of 1891, and all acts and parts of acts in any wise contravening any of the provisions of this act," as amended by Act No. 212 of the Public Acts of 1905;

Also:

Senate bill No. 150 (enrolled No. 14), being

An act giving the assent of the Legislature of the State of Michigan to the grant of moneys from the United States by act of Congress, approved March 16, 1906, being an act to provide for an increased annual appropriation for agricultural experimental stations and regulating the expenditure thereof.

Respectfully,

FRED M. WARNER,
Governor.

COMMUNICATIONS FROM STATE OFFICERS.

Auditor General's Department, Lansing,
March 30, 1909.

To the President of the Senate:

Sir:—In compliance with Senate resolution No. 75, I submit the following information relative to the collection of delinquent taxes:

Statement showing the amount received from interest, collection fee, expense of sale (advertising), and expenses in the Auditor General's Department, on account of collection of delinquent taxes from January 1 to December 31, 1908.

Total amount of taxes collected	\$199,831 33
Penalties, etc., collected	142,806 49
	<hr/>
	\$342,637 82

Expense of sale collected at Auditor General's office and at	
Annual sale	\$26,775 45
Expense of sale collected by County Treasurers	18,636 36
Interest and collection fee collected	97,394 68
	<hr/>
	\$142,806 49

Amount collected for expense of sale (advertising), interest or collection fee, not included	\$45,411 81
Amount paid for advertising delinquent taxes of 1905 and notice of publication of State Tax Lands.....	23,211 10
	<hr/>
Excess of amount collected over payment of advertising....	\$22,200 71

Total interest, collection fee, and charges collected	\$142,806 49
Expense of Department including advertising, in connection with the collection of delinquent taxes	109,371 60

Excess of penalties collected over expense	\$33,434 89
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Very respectfully,

O. B. FULLER,

Auditor General.

The communication was referred to the Committee on Forestry and State Lands.

PRESENTATION OF PETITIONS.

No. 560. By Mr. Foster: Petition of Clarence Glidden and 41 other members of Dale Grange No. 771, of Gladwin county, in favor of the passage of the Baker bill requiring telephone companies to interchange service.

The petition was referred to the Committee on State Affairs.

No. 561. By Mr. Fox: Petition of E. O. Thomas and 32 other members of Millington Grange No. 755, of Tuscola county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 562. By Mr. White: Petition of George Frank and 5 other members of Newberg Center Grange No. 695, of Cass county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 563. By Mr. Foster: Petition of F. C. Ream and 42 other members of Dale Grange No. 771, of Gladwin county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 564. By Mr. Whitney: Petition of A. Hill and 158 other citizens of Saginaw in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 565. By Mr. White: Protest of W. E. Coleman and 11 other farmers of Buchanan, Berrien county, against the passage of the Curtiss bill to license vendors of medicine.

The protest was referred to the Committee on Public Health.

No. 566. By Mr. Foster: Protest of Daniel G. Bruce and 74 other citizens of Alcona county on the same subject.

The protest was referred to the Committee on Public Health.

No. 567. By Mr. Scott: Petition of Claud Wilson and 60 other members of Lodge No. 141, B. of R. T., of Detroit, in favor of the passage of the Ming employer's liability bill.

The petition was referred to the Committee on Railroads.

No. 568. By Mr. Newton: Protest of William April and 136 other citizens of Washtenaw county against the passage of House bill No. 179, known as the Sanders bill.

The protest was referred to the Committee on Education and Public Schools.

No. 569. By Mr. Fairbanks: Petition of R. J. Myers and 29 other citizens of Lake county asking for the passage of a bill for the protection of deer in that county.

The petition was referred to the Committee on Gaming Interests.

MOTIONS AND RESOLUTIONS.

Mr. Fowle moved to discharge the committee of the whole from the further consideration of

Senate bill No. 161 (file No. 145), entitled

A bill to amend Act No. 35 of the Public Acts of 1907, entitled "An act to provide for the establishment of county schools of agriculture, manual training and domestic economy," by adding thereto a new section to be numbered section 10.

The motion prevailed.

Mr. Fowle moved that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed.

REPORTS OF STANDING COMMITTEES.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 152 (file No. 138), entitled

A bill to direct the Board of State Auditors to investigate, examine and settle the claim of Thomas Allen, of Detroit, Michigan, against the State of Michigan, for false arrest and imprisonment in the State Prison at Jackson on the charge of assault with the intent to do great bodily harm, on which charge the said Thomas Allen was afterward declared innocent;

With the recommendation that the bill be referred to the Committee on Judiciary.

J. D. M. MacKay,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. MacKay moved that the Senate concur in the recommendation of the committee that the bill be referred to the Committee on Judiciary.

The motion prevailed.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 130 (file No. 116), entitled

A bill to provide that it shall be unlawful for any person to make a false written statement of their property valuation to obtain credit from any other person, company, co-partnership or corporation and providing a penalty for the violation thereof;

With the recommendation that the bill pass.

J. D. M. MacKAY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 23, entitled

A bill to amend section 6 of Act No. 66 of the Public Acts of 1901, entitled "An act for the prevention and suppression of foul brood among bees in the State of Michigan, and the inspection thereof, and to make an appropriation therefor, and to repeal Act No. 141 of the Public Acts of 1881," being sections 5663, 5664, 5665, 5666, 5667, 5668, 5669 and 5670 of the Compiled Laws of 1897;

With the recommendation that the bill be printed and referred to the Committee on Agricultural Interests.

J. D. M. MacKAY,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. MacKAY moved that the Senate concur in the recommendation of the committee that the bill be printed and referred to the Committee on Agricultural Interests.

The motion prevailed.

By the Committee on State Affairs:

The Committee on State Affairs reports

House bill No. 69 (file No. 78), entitled

A bill to prohibit the unauthorized taking or using of automobiles or other motor vehicles by drivers or caretakers thereof, or by any other person or persons, without intent to steal the same, and to provide a penalty therefor;

With the recommendation that the bill pass.

J. D. M. MacKAY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

House bill No. 10 (file No. 16), entitled

A bill to prohibit the use of petroleum, coal or kerosene oil for illuminating and heating purposes which have been adulterated or which will

emit a combustible vapor at a temperature of one hundred twenty or less degrees Fahrenheit's thermometer, and to repeal Act 241 of the Public Acts of 1899, entitled "An act to prohibit the use of products of petroleum for illuminating purposes, which have been adulterated, or which will emit a combustible vapor at a temperature less than one hundred twenty-one degrees Fahrenheit's thermometer;"

With the recommendation that the bill pass.

J. D. M. MacKAY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

House bill No. 9 (file No. 15), entitled

A bill to provide for the regulation of the sale by dealers and the keeping on hand by consumers, of gasoline, benzine or naphtha;

With the recommendation that the bill pass.

J. D. M. MacKAY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports.

House bill No. 8 (file No. 14), entitled

A bill to amend sections 1, 3 and 5 of Act No. 26, Public Acts of 1899, as amended by Act No. 197, Public Acts of 1903, being "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils and to repeal Act No. 127, Laws of 1879, as amended by Act No. 49, of the Laws of 1881, Act No. 20 of the Laws of 1883, Act No. 71 of the Laws of 1891 and Act No. 94 of the Laws of 1893;"

With the recommendation that the bill pass.

J. D. M. MacKAY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Taxation:

The Committee on Taxation reports

Senate bill No. 171 (file No. 154), entitled

A bill to amend section 140 of Act No. 206 of the Public Acts of 1893, being "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien upon the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or pur-

chased, and to repeal Act No. 200 of the Public Acts of 1891, and all other acts and parts of acts in any wise contravening any of the provisions of this act," as added by Act No. 229 of the Public Acts of 1897, being section 3959 of the Compiled Laws of 1897, as amended by Act No. 204 of the Public Acts of 1899, Act No. 236 of the Public Acts of 1903, and Act No. 142 of the Public Acts of 1905;

With the recommendation that the bill pass.

EARL FAIRBANKS,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 202 (file No. 79), entitled

A bill to secure to the minority of members in partnership associations organized under the provisions of Act No. 191 of the Public Acts of 1877, and acts amendatory thereto, the same being compiler's section 160 of the Compiled Laws of 1897, the power of electing a representative membership in the boards of managers of such partnership associations;

With the recommendation that the bill pass.

CARL E. MAPES.

Acting Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 203 (file No. 189), entitled

A bill to regulate the practice in circuit courts;

With the recommendation that the bill pass.

CARL E. MAPES,

Acting Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Religious and Benevolent Societies:

The Committee on Religious and Benevolent Societies reports

Senate bill No. 202 (file No. 188), entitled

A bill to amend Act No. 40 of the Public Acts of 1899, entitled "An act to revise the laws providing for the incorporation of Protestant Episcopal churches," by adding a new section thereto to stand as section 13;

With the recommendation that the bill pass.

L. D. DICKINSON,

Chairman.

The report was accepted and adopted and the committee discharged. The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Religious and Benevolent Societies:

The Committee on Religious and Benevolent Societies reports

House bill No. 251 (file No. 119), entitled

A bill to amend sections 1, 2 and 3 of Act No. 141 of the Public Acts of 1905, as amended by Act No. 78 of the Public Acts of 1907, entitled "An act to provide for the exercise by religious societies of corporate powers for certain purposes;"

With the recommendation that the bill pass.

L. D. DICKINSON,

Chairman.

The report was accepted and adopted and the committee discharged. The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Religious and Benevolent Societies:

The Committee on Religious and Benevolent Societies reports

House bill No. 207 (file No. 121), entitled

A bill to provide for the incorporation of Order of the Eastern Star associations;

With the recommendation that the bill pass.

L. D. DICKINSON,

Chairman.

The report was accepted and adopted and the committee discharged. The bill was referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 282 (file No. 150), entitled

A bill to prohibit the taking, catching or killing of certain species of bass during certain months of the year; to provide a penalty therefor, and to repeal all acts or parts of acts inconsistent herewith;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Fisheries.

The following message from the House was also received and read:

House of Representatives,
March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 301 (file No. 146), entitled

A bill to amend section 3 of chapter 16 of the Revised Statutes of 1846, entitled "Of the powers and duties of townships and election and duties of township officers," the same being section 2269 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Counties and Townships.

The following message from the House was also received and read:

House of Representatives,
March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 300 (file No. 149), entitled

A bill to provide for the erection and maintenance of fish shutes or fish ladders for the free passage of fish through or over dams now in existence, or which shall hereafter be erected, across rivers, streams or creeks, and to prohibit the obstruction of rivers, streams and creeks in such manner as to prevent the free passage of fish up and down;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Fisheries.

The following message from the House was also received and read:

House of Representatives,
March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 290 (file No. 143), entitled

A bill to repeal an act entitled "An act to provide for the licensing

of insurance companies, to insure against loss or damage resulting from burglary or robbery or attempt thereat, also the loss of money or securities in transit by registered mail, limiting the scope of their business, and defining their powers, duties and qualifications," the same being Act No. 174 of the Public Acts of 1897, and being sections 5144 to 5150, inclusive, of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Insurance.

The following message from the House was also received and read:

House of Representatives,

March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 288 (file No. 142), entitled

A bill to repeal an act entitled "An act to provide for the incorporation of mutual integrity companies for the purpose of insuring to the employers the integrity of their officers, agents and employes" the same being Act No. 156 of the Public Acts of 1897, and being sections 7337 to 7352, inclusive, of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Labor Interests.

The following message from the House was also received and read:

House of Representatives,

March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 287 (file No. 141), entitled

A bill to repeal an act entitled "An act to provide for the incorporation of co-operative associations having for their object the insurance of the lives of horses, cattle and other farm stock," the same being Act No. 269 of the Public Acts of 1889 and being sections 7375 to 7401, inclusive, of the Compiled Laws of 1897, as amended;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 327 (file No. 140), entitled

A bill to authorize the Commissioner of the State Land Office to investigate and determine whether it will be of benefit to the State and necessary for the public health, convenience and welfare, to deepen, widen, straighten, reconstruct and extend into a sewer, for sewer and drainage purposes, the "Toll Gate Drain," and if such is the case to join in the application to the county drain commissioner for such improvement; to release the right of way therefor and to authorize and direct the Board of State Auditors to audit and allow such sums as shall be assessed as benefits against the State or lands owned by the State for benefits by reason of such drain;

And to inform the Senate that the bill has passed the House and has been ordered to take immediate effect.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Roads and Bridges.

The following message from the House was also received and read:

House of Representatives,
March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 209 (file No. 137), entitled

A bill to amend section 2 of Act No. 318 of the Public Acts of 1907, entitled "An act to provide for the incorporation of mutual benefit societies, membership in which is confined to members of a particular religious denomination;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Insurance.

The following message from the House was also received and read:

House of Representatives,
March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 280 (file No. 132), entitled

A bill to amend section 2 of Act No. 148 of the Public Acts of 1873, entitled "An act relating to the accounting for money received and expended by certain officers," being section 1206 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Claims and Public Accounts.

The following message from the House was also received and read:

House of Representatives,
March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 296 (file No. 128), entitled

A bill to amend section 8 of Act No. 238 of the Public Acts of 1889, entitled "An act to provide for the amicable adjustment of grievances and disputes that may arise between employers and employes and to authorize the creation of a State Court of Mediation and Arbitration," the same being section 567 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Labor Interests.

The following message from the House was also received and read:

House of Representatives,
March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 93 (file No. 139), entitled

A bill regulating steam vessels, and vessels or boats operated by machinery, navigating the waters within the jurisdiction of this State, excepting vessels which are subject to inspection under the laws of the United States, and providing penalties for the violation thereof;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Labor Interests.

The following message from the House was also received and read:

House of Representatives,
March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 76 (file No. 107), entitled

A bill to provide for the redemption and payment of outstanding bond No. 631 for three thousand dollars of the five million dollar loan of 1837, and to make appropriation therefor;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

INTRODUCTION OF BILLS.

Mr. Dickinson introduced

Senate bill No. 225, entitled

A bill to amend sections 1, 16 and 25 of Act No. 207 of the Public Acts of 1889, approved June 29, 1889, entitled "An act to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of vinous, malt, brewed, fermented, spirituous or intoxicating liquors, or any mixed liquor or beverage, any part of which is intoxicating, and to prohibit the keeping of any saloon or any other place for the manufacture, sale, storing

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Insurance.

The following message from the House was also received and read:

House of Representatives,
March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 280 (file No. 132), entitled

A bill to amend section 2 of Act No. 148 of the Public Acts of 1873, entitled "An act relating to the accounting for money received and expended by certain officers," being section 1206 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Claims and Public Accounts.

The following message from the House was also received and read:

House of Representatives,
March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 296 (file No. 128), entitled

A bill to amend section 8 of Act No. 238 of the Public Acts of 1889, entitled "An act to provide for the amicable adjustment of grievances and disputes that may arise between employers and employes and to authorize the creation of a State Court of Mediation and Arbitration," the same being section 567 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Labor Interests.

The following message from the House was also received and read:

House of Representatives,
March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 93 (file No. 139), entitled

A bill regulating steam vessels, and vessels or boats operated by machinery, navigating the waters within the jurisdiction of this State, excepting vessels which are subject to inspection under the laws of the United States, and providing penalties for the violation thereof;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Labor Interests.

The following message from the House was also received and read:

House of Representatives,
March 30, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 76 (file No. 107), entitled

A bill to provide for the redemption and payment of outstanding bond No. 631 for three thousand dollars of the five million dollar loan of 1837, and to make appropriation therefor;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

INTRODUCTION OF BILLS.

Mr. Dickinson introduced

Senate bill No. 225, entitled

A bill to amend sections 1, 16 and 25 of Act No. 207 of the Public Acts of 1889, approved June 29, 1889, entitled "An act to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of vinous, malt, brewed, fermented, spirituous or intoxicating liquors, or any mixed liquor or beverage, any part of which is intoxicating, and to prohibit the keeping of any saloon or any other place for the manufacture, sale, storing

for sale, giving away or furnishing of such liquors or beverages and to suspend the general laws of the State relative to the taxation and regulation of the manufacture and sale of such liquors in the several counties of this State under certain circumstances; to authorize the qualified electors of the several counties of this State to express their will in regard to such prohibition by an election, and to authorize and empower the boards of supervisors of these several counties, after such election, if they shall determine the result to be in favor of such prohibition, to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of any such liquors or the keeping of a saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of the same in their respective counties, and to provide for penalties and rights of action in case of its violation;" as amended and added to by Act No. 183 of the Public Acts of 1889, approved April 18, 1889, and by Act No. 170 of the Public Acts of 1903, approved June 3, 1903, and to add 13 new sections to stand as sections 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Ming introduced

Senate bill No. 226, entitled

A bill to amend section 3896 of the Compiled Laws of 1897, the same being section 73 of the general tax law.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. MacKay moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Kingman to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee has had under consideration the following:

House bill No. 232 (file No. 99), entitled

A bill to amend section 1 of chapter 5 of Act No. 254 of the Public Acts of 1897, entitled "An act to provide for the construction and maintenance of drains and the assessment and collection of taxes therefor and to repeal all other laws relative thereto," the same being compiler's section 4344 of the Compiled Laws of 1897, having been last amended by Act No. 272 of the Public Acts of 1899;

Also:

Senate bill No. 74 (file No. 67), entitled

A bill to amend section 5 of Act No. 111 of the Public Acts of 1889, approved May 24, 1889, entitled "An act to protect fish and to regulate fishing in the waters of this State by providing closed seasons for certain kinds of fish; by prohibiting the catching of fish in certain specified

ways; by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes; by prohibiting the obstruction of the free passage of fish and by prohibiting the sale of certain kinds of fish; to protect persons engaged in fish culture and to repeal inconsistent acts," as amended by Act No. 163 of the Public Acts of 1891, being section 5865 of the Compiled Laws of 1897;

Also:

House bill No. 97 (file No. 38), entitled

A bill to place under the control and management of the Board of Commissioners of Mackinac Island State Park, the site formerly occupied as a military post under the name of Fort Michilimackinac, in the village of Mackinaw City, in the county of Cheboygan, Michigan, heretofore conveyed to the State of Michigan by said village of Mackinaw City, under and by virtue of the provisions of Act No. 520 of the Local Acts of 1903, conveyed as "Wawatam Park," defining the power and authority of said Mackinac Island State Park board therein, and to authorize it to make, publish and enforce rules and regulations for the care, order and preservation thereof, and to change the name of said park;

Also:

Senate bill No. 57 (file No. 53), entitled

A bill to prevent fraud in the sale of Paris green, London purple or other drugs used as insecticides;

Also:

House bill No. 69 (file No. 78), entitled

A bill to prohibit the unauthorized taking or using of automobiles or other motor vehicles by drivers or caretakers thereof, or by any other person or persons, without intent to steal the same, and to provide a penalty therefor;

Also:

Senate bill No. 203 (file No. 189), entitled

A bill to regulate the practice in circuit courts;

Also:

House bill No. 202 (file No. 79), entitled

A bill to secure to the minority of members in partnership associations organized under the provisions of Act No. 191 of the Public Acts of 1877, and acts amendatory thereto, the same being compiler's section 160 of the Compiled Laws of 1897, the power of electing a representative membership in the boards of managers of such partnership associations;

Also:

Senate bill No. 202 (file No. 188), entitled

A bill to amend Act No. 40 of the Public Acts of 1899, entitled "An act to revise the laws providing for the incorporation of Protestant Episcopal churches," by adding a new section thereto to stand as section 13;

Also:

House bill No. 251 (file No. 119), entitled

A bill to amend sections 1, 2 and 3 of Act No. 141 of the Public Acts of 1905, as amended by Act No. 78 of the Public Acts of 1907, entitled "An act to provide for the exercise by religious societies of corporate powers for certain purposes;"

Also:

House bill No. 207 (file No. 121), entitled

A bill to provide for the incorporation of Order of the Eastern Star associations;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate bill No. 29 (file No. 26), entitled

A bill to amend sections 2, 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, 19, 20 and 21, of an act, entitled "An act to provide for the casting, registering, recording and counting of ballots or votes at any regular or special election held in the State of Michigan by means of voting machines; to provide for the purchase of same and to repeal all acts or parts of acts inconsistent herewith," being Act No. 287 of the Public Acts of 1907, as amended by Act No. 7 of the Extra Session Laws of 1907, and to add three sections to stand as section 7a, section 7b and section 7c, and to repeal all acts or parts of acts inconsistent herewith;

Also:

Senate bill No. 130 (file No. 116), entitled

A bill to provide that it shall be unlawful for any person to make a false written statement of their property valuation to obtain credit from any other person, company, co-partnership or corporation, and providing a penalty for the violation thereof;

Also:

Senate bill No. 171 (file No. 154), entitled

A bill to amend section 140 of Act No. 206 of the Public Acts of 1893, being "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien upon the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased, and to repeal Act No. 200 of the Public Acts of 1891 and all other acts and parts of acts in anywise contravening any of the provisions of this act," as added by Act No. 229 of the Public Acts of 1897, being section 3959 of the Compiled Laws of 1897, as amended by Act No. 204 of the Public Acts of 1899, Act No. 236 of the Public Acts of 1903, and Act No. 142 of the Public Acts of 1905;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in, and recommend that, as amended, the bills pass.

Also:

Senate bill No. 188 (file No. 172), entitled

A bill in relation to the publication in newspapers of the time schedules of carriers of passengers within this State;

Has directed its chairman to report the same back to the Senate, with the recommendation that all after the enacting clause of the bill be stricken out.

A. C. KINGMAN,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first ten bills named in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendments made to the eleventh, twelfth and thirteenth named bills in the report and the bills were placed on the order of third reading of bills.

The question being on concurring in the recommendation of the committee of the whole that all after the enacting clause be stricken out of the fourteenth named bill in the report,

Mr. Kline demanded the yeas and nays.

The Senate then did not concur, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Bolt	Mr. Krueger	Mr. Moriarty	Mr. Taylor	
Collins	MacKay	Scott	Ward	
Kingman	Mapes	Smith		11

NAYS.

Mr. Aitkin	Mr. Foster	Mr. Newton	Mr. Watkins	
Barnaby	Fowle	Shields	Weter	
Bates	Fox	Snell	White	
Dickinson	Kline	Tuttle	Whitney	
Fairbanks	Ming			18

Mr. Kline moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Mr. Watkins by unanimous consent, moved to take from the table Senate bill No. 24 (file No. 21), entitled

A bill making an appropriation for the Michigan State Prison for the fiscal year ending June 30, 1910, for the purpose of completing heating, lighting and power system, and to provide a tax to meet the same.

The motion prevailed.

Mr. Watkins moved that the bill be ordered to take immediate effect.

The motion prevailed, two-thirds of all the Senators-elect voting therefor.

THIRD READING OF BILLS.

Senate bill No. 95 (file No. 85), entitled

A bill to provide for a board of jury commissioners in each county in this State, to prescribe the manner of selecting jurors, and prescribing punishment for a violation of this act;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Mapes	Mr. Snell
Barnaby	Fowle	Ming	Taylor
Bates	Fox	Moriarty	Ward
Bolt	Kingman	Newton	Watkins
Collins	Kline	Scott	Weter
Dickinson	Krueger	Shields	White
Fairbanks	MacKay	Smith	Whitney

28

NAYS.

Mr. Tuttle

1

The title of the bill was agreed to.

House bill No. 232 (file No. 99), entitled

A bill to amend section 1 of chapter 5 of Act No. 254 of the Public Acts of 1897, entitled "An act to provide for the construction and maintenance of drains and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto," the same being compiler's section 4344 of the Compiled Laws of 1897, having been last amended by Act No. 272 of the Public Acts of 1899;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Taylor
Anhut	Fowle	Moriarty	Tuttle
Barnaby	Fox	Newton	Ward
Bates	Kingman	Scott	Watkins
Collins	Kline	Shields	Weter
Dickinson	Krueger	Smith	White
Fairbanks	Mapes	Snell	Whitney

28

NAYS.

Mr. Bolt

Mr. MacKay

2

The title of the bill was agreed to.

Senate bill No. 74 (file No. 67), entitled

A bill to amend section 5 of Act No. 111 of the Public Acts of 1889, approved May 24, 1889, entitled "An act to protect fish and to regulate fishing in the waters of this State by providing closed seasons for certain kinds of fish; by prohibiting the catching of fish in certain specified ways; by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes; by prohibiting the obstruction of the free passage of fish and by prohibiting the sale of certain kinds of fish; to protect persons engaged in fish culture and to repeal inconsistent acts," as amended by Act No. 163 of the Public Acts of 1891, being section 5865 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Tuttle
Anhut	Fowle	Newton	Ward
Barnaby	Fox	Scott	Watkins
Bates	Kingman	Shields	Weter
Collins	Kline	Snell	White
Dickinson	Mapes	Taylor	Whitney
Fairbanks	Ming		

26

NAYS.

Mr. Krueger

1

The title of the bill was agreed to.

House bill No. 97 (file No. 38), entitled

A bill to place under the control and management of the Board of Commissioners of Mackinac Island State Park, the site formerly occupied as a military post under the name of Fort Michilimackinac, in the village of Mackinaw City, in the county of Cheboygan, Michigan, heretofore conveyed to the State of Michigan by said village of Mackinaw City, under and by virtue of the provisions of Act No. 520 of the Local Acts of 1903, conveyed as "Wawatam Park," defining the power and authority of said Mackinac Island State Park board therein, and to authorize it to make, publish and enforce rules and regulations for the care, order and preservation thereof, and to change the name of said park;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Taylor
Anhut	Fowle	Moriarty	Tuttle
Barnaby	Fox	Newton	Ward
Bates	Kingman	Scott	Watkins
Bolt	Kline	Shields	Weter
Collins	Krueger	Smith	White
Dickinson	Mapes	Snell	Whitney
Fairbanks			

29

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 57 (file No. 53), entitled

A bill to prevent fraud in the sale of Paris green, London purple or other drugs used as insecticides;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Taylor
Anhut	Fowle	Moriarty	Tuttle
Barnaby	Fox	Newton	Ward

Mr. Bates	Mr. Kingman	Mr. Scott	Mr. Watkins
Bolt	Kline	Shields	Weter
Collins	Krueger	Smith	White
Dickinson	Mapes	Snell	Whitney
Fairbanks			

29

NAYS.

0

The question being on agreeing to the title,

Mr. Bates moved to amend the title so as to read as follows:

"A bill to prevent fraud in the sale of Paris green used as an insecticide."

The motion prevailed, and the title of the bill was so amended.

The title of the bill as amended was then agreed to.

House bill No. 69 (file No. 78), entitled

A bill to prohibit the unauthorized taking or using of automobiles or other motor vehicles by drivers or caretakers thereof, or by any other person or persons, without intent to steal the same, and to provide a penalty therefor;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Taylor
Anhut	Fowle	Moriarty	Tuttle
Barnaby	Fox	Newton	Ward
Bates	Kingman	Scott	Watkins
Bolt	Kline	Shields	Weter
Collins	Krueger	Smith	White
Dickinson	Mapes	Snell	Whitney
Fairbanks			

29

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 203 (file No. 189), entitled

A bill to regulate the practice in circuit courts;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Taylor
Anhut	Fowle	Moriarty	Tuttle
Barnaby	Fox	Newton	Ward
Bates	Kingman	Scott	Watkins
Bolt	Kline	Shields	Weter
Collins	Krueger	Smith	White
Dickinson	Mapes	Snell	Whitney
Fairbanks			

29

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 171 (file No. 154), entitled

A bill to amend section 140 of Act No. 206 of the Public Acts of 1893, being "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien upon the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased, and to repeal Act No. 200 of the Public Acts of 1891, and all other acts and parts of acts in any wise contravening any of the provisions of this act," as added by Act No. 229 of the Public Acts of 1897, being section 3959 of the Compiled Laws of 1897, as amended by Act No. 204 of the Public Acts of 1899, Act No. 236 of the Public Acts of 1903, and Act No. 142 of the Public Acts of 1905;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Taylor	
Anhut	Fowle	Moriarty	Tuttle	
Barnaby	Fox	Newton	Ward	
Bates	Kingman	Scott	Watkins	
Bolt	Kline	Shields	Weter	
Collins	Krueger	Smith	White	
Dickinson	Mapes	Snell	Whitney	
Fairbanks				29

NAYS.

0

The title of the bill was agreed to.

House bill No. 202 (file No. 79), entitled

A bill to secure to the minority of members in partnership associations organized under the provisions of Act No. 191 of the Public Acts of 1877, and acts amendatory thereto, the same being compiler's section 160 of the Compiled Laws of 1897, the power of electing a representative membership in the boards of managers of such partnership associations.

Mr. Moriarty moved that further consideration of the bill be postponed until tomorrow.

The motion prevailed, a majority of all the Senators-elect voting therefor.

Senate bill No. 202 (file No. 188), entitled

A bill to amend Act No. 40 of the Public Acts of 1899, entitled "An act to revise the laws providing for the incorporation of Protestant Episcopal churches," by adding a new section thereto to stand as section 13;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Taylor
Anhut	Fowle	Moriarty	Tuttle
Barnaby	Fox	Newton	Ward
Bates	Kingman	Scott	Watkins
Bolt	Kline	Shields	Weter
Collins	Krueger	Smith	White
Dickinson	Mapes	Snell	Whitney
Fairbanks			

29

NAYS.

0

The title of the bill was agreed to.

House bill No. 251 (file No. 119), entitled

A bill to amend sections 1, 2 and 3 of Act No. 141 of the Public Acts of 1905, as amended by Act No. 78 of the Public Acts of 1907, entitled "An act to provide for the exercise by religious societies of corporate powers for certain purposes;"

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Taylor
Anhut	Fowle	Moriarty	Tuttle
Barnaby	Fox	Newton	Ward
Bates	Kingman	Scott	Watkins
Bolt	Kline	Shields	Weter
Collins	Krueger	Smith	White
Dickinson	Mapes	Snell	Whitney
Fairbanks			

29

NAYS.

0

The title of the bill was agreed to.

House bill No. 207 (file No. 121), entitled

A bill to provide for the incorporation of Order of the Eastern Star associations;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Taylor
Anhut	Fowle	Moriarty	Tuttle
Barnaby	Fox	Newton	Ward
Bates	Kingman	Scott	Watkins
Bolt	Kline	Shields	Weter
Collins	Krueger	Smith	White
Dickinson	Mapes	Snell	Whitney
Fairbanks			

29

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 29 (file No. 26), entitled

A bill to amend sections 2, 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, 19, 20 and 21, of an act, entitled "An act to provide for the casting, registering, recording and counting of ballots or votes at any regular or special election held in the State of Michigan by means of voting machines; to provide for the purchase of same and to repeal all acts or parts of acts inconsistent herewith," being Act No. 287 of the Public Acts of 1907, as amended by Act No. 7 of the Extra Session Laws of 1907, and to add three sections to stand as section 7a, section 7b and section 7c, and to repeal all acts or parts of acts inconsistent herewith;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Moriarty	Mr. Tuttle	
Anhut	Foster	Newton	Ward	
Barnaby	Fowle	Scott	Watkins	
Bates	Fox	Shields	Weter	
Bolt	Kingman	Smith	White	
Collins	Kline	Snell	Whitney	
Dickinson	Mapes	Taylor		27

NAYS.

Mr. Krueger	Mr. Ming	2
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The title of the bill was agreed to.

Mr. Fairbanks moved that the Senate return to the order of Messages from the House.

The motion prevailed, two-thirds of all the Senators present voting therefor.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
March 31, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 87.

Whereas, By the death of the Honorable M. Livy Agens the members of the Legislature of the State of Michigan have been bereaved of an efficient colleague and sincere personal friend; and

Whereas, The people of Michigan have, by his death, been deprived of an honest representative whose every motive and constant anxiety has been to serve their interests, advance their welfare and carry out their wishes; therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Speaker of the House appoint six Representatives and that the President of the Senate appoint four Senators as members of a joint committee to superintend the funeral of the deceased; and be it further

Resolved by the House (the Senate concurring). That as a further mark of respect the remains of the said deceased be removed to his late home for burial in charge of the Sergeant-at-Arms of the House attended by the committee herein provided for and the President of the Senate, who shall have power to carry these resolutions into effect; and be it further

Resolved by the House (the Senate concurring), That the Speaker of the House appoint three members of the House and that the President of the Senate appoint two members of the Senate to draft suitable resolutions of respect and esteem upon the death of Mr. Agens and to arrange for an appropriate eulogy to the deceased;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution, Mr. Tuttle moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed, two-thirds of all the Senators present voting therefor.

The question being on concurring in the adoption of the resolution. The resolution was adopted.

The President announced as the committee on the part of the Senate to comply with that part of the resolution relative to the funeral of the deceased, Senators Fairbanks, Dickinson, Fox and Ming.

The President announced as the committee on the part of the Senate to draft suitable resolutions in memory of the deceased, Senators Mapes and Tuttle.

Mr. Fairbanks moved, as a further mark of respect to the memory of the deceased, that the Senate now adjourn.

The motion prevailed, the time being 5 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FIFTY-FIRST DAY.

Lansing. Thursday, April 1.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Taylor, Tuttle, Ward, Watkins, Weter, White, Whitney—28.

The following Senators were absent with leave: Messrs. Snell, Wetmore—2.

The following Senators were absent without leave: Messrs. Dickinson, MacKay—2.

Mr. Moriarty moved that leaves of absence be granted to the absentees from today's session.

The motion prevailed.

Mr. Kingman asked and obtained leave of absence for Mr. Dickinson from tomorrow's session.

Messrs. Aitkin, Anhut, Collins, Kline, Krueger, Mapes, Moriarty, Shields, Smith, Tuttle, Ward, Weter and White asked and obtained leaves of absence for themselves from tomorrow's session.

Messrs. Fairbanks, Ming, Scott, Watkins and Whitney asked and obtained leaves of absence for themselves from the sessions of tomorrow and Tuesday.

Mr. Kingman asked and obtained leave of absence for himself after 3 o'clock p. m. today, also from the sessions of tomorrow and Tuesday.

PRESENTATION OF PETITIONS.

No. 570. By Mr. Ming: Petition of J. Fred Brudy and 8 other members of Riverside Grange No. 741, of Cheboygan county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 571. By Mr. Watkins: Petition of E. M. Sanford and 10 other citizens of Jackson county on the same subject.

The petition was referred to the Committee on Taxation.

No. 572. By Mr. Aitkin: Petition of James VanBuskirk and 34 other members of Applegate Grange No. 1003, of Sanilac county, in favor of the passage of the Baker bill requiring telephone companies to interchange service.

The petition was referred to the Committee on State Affairs.

No. 573. By Mr. Watkins: Petition of H. J. Knight and 26 other citizens of Jackson county on the same subject.

The petition was referred to the Committee on State Affairs.

No. 574. By Mr. Kingman: Petition of J. J. Stephenson and 44 other citizens of Marshall in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 575. By Mr. Mapes: Petition of John J. McKenna and 18 other citizens of Grand Rapids on the same subject.

The petition was referred to the Committee on Public Health.

No. 576. By Mr. White: Petition of Robert Elder and 69 other citizens of Berrien county on the same subject.

The petition was referred to the Committee on Public Health.

No. 577. By Mr. Watkins: Protest of C. E. Gray and 14 other citizens of Hillsdale county against the passage of the Curtiss bill to license vendors of medicine.

The protest was referred to the Committee on Public Health.

No. 578. By Mr. Watkins: Protest of H. T. Smith and 8 other citizens of Hillsdale county on the same subject.

The protest was referred to the Committee on Public Health.

No. 579. By Mr. Bates: Protest of H. C. Lafler and 13 other citizens of Van Buren county on the same subject.

The protest was referred to the Committee on Public Health.

No. 580. By Mr. Ward: Protest of Martin Davis and 80 other citizens of Mecosta county on the same subject.

The protest was referred to the Committee on Public Health.

No. 581. By Mr. Mapes: Petition of Fred Gregory and 24 other members of Valley City Lodge No. 180, B. of R. T., of Grand Rapids, in favor of the passage of the Ming employer's liability bill.

The petition was referred to the Committee on Railroads.

No. 582. By Mr. White: Resolutions of Stone Lake Camp No. 2719, M. W. of A., of Cassopolis, against the passage of the minimum rate bill for fraternal insurance societies.

The resolutions were referred to the Committee on Insurance.

No. 583. By Mr. Taylor: Petition of J. F. Johnson and 22 other citizens of Schoolcraft urging the repeal of Act No. 333 of the Public Acts of 1907, relative to the pollution of waters from which fish are taken.

The petition was referred to the Committee on Fisheries.

No. 584. By Mr. Fowle: Protest of Remi Mercier and 31 other citizens of Delta county against the passage of Senate bill No. 194, known as the Ming fish bill.

The protest was referred to the Committee on Fisheries.

MOTIONS AND RESOLUTIONS.

Mr. Mapes moved that when the Senate adjourns today, it stand adjourned until tomorrow at 9 o'clock a. m.

The motion prevailed.

By unanimous consent the Senate took up to the order of

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
April 1, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 88.

Resolved by the House of Representatives (the Senate concurring), That when the Legislature adjourns today it stand adjourned until Tuesday, April 6, at 9 o'clock p. m.;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution, Mr. Weter moved to amend the resolution by striking out the word "today" and inserting in lieu thereof the word "tomorrow."

The motion prevailed and the resolution was so amended

The Senate then concurred in the adoption of the resolution as amended.

REPORTS OF STANDING COMMITTEES.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations reports

Senate bill No. 161 (file No. 145), entitled

A bill to amend Act No. 35 of the Public Acts of 1907, entitled "An act to provide for the establishment of county schools of agriculture, manual training and domestic economy," by adding thereto a new section to be numbered section 10;

With the following amendments thereto:

1. By inserting in line 4 of section 1 after the word "College" the following: "and which shall have expended at least twenty thousand dollars in buildings and equipment and shall have acquired at least one hundred acres of land to be used in connection with said school."

2. By inserting in line 34 of section 1 after the word "annually" the following words and figures: "beginning in the year 1910;"

Recommend that the amendments be concurred in, and that when so amended the bill pass.

ERASTUS N. BATES,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Bates moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

INTRODUCTION OF BILLS.

Mr. Moriarty introduced

Senate bill No. 227, entitled

A bill allowing certain persons to be made defendants in proceedings in chancery and prescribing the procedure and effect thereof.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Mapes introduced

Senate bill No. 228, entitled

A bill to amend sections 4 and 7 of Act No. 192 of the Public Acts of 1871, entitled "An act to provide for the appointment of a board of commissioners for the general supervision of penal, pauper and reformatory institutions, and defining their duties and powers," as amended, same being compiler's sections 2253 and 2256 of the Compiled Laws of 1897, and to add a new section thereto to be known as section 11.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Taylor introduced

Senate bill No. 229, entitled

A bill to amend section 2 of Act No. 148 of the Public Acts of 1869, entitled "An act to revise and consolidate the several acts relating to the support and maintenance of poor persons," approved April 5, 1869, being compiler's section 4503 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Collins introduced

Senate bill No. 230, entitled

A bill establishing a lien for labor and services upon the property of any corporation organized for the purpose of mining coal, shale or clay.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Watkins introduced

Senate bill No. 231, entitled

A bill to provide for the establishment of courses of study in the science and practice of agriculture, domestic science and art and manual training in certain school districts, and to provide for the maintenance and control of the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Barnaby introduced

Senate bill No. 232, entitled

A bill to amend section 1 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," and acts amendatory thereof, being compiler's section 4808 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Barnaby introduced

Senate bill No. 233, entitled

A bill to regulate the production and sale of "certified" milk, to provide for the enforcement thereof and punishment for the violation of the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Public Health.

Mr. Fox introduced

Senate bill No. 234, entitled

A bill to amend section 15 of Act No. 188 of the Session Laws of 1861, approved March 15, 1861, entitled "An act to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture," being compiler's section 1846 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Agricultural College.

Mr. Foster introduced

Senate bill No. 235, entitled

A bill to provide for the imposition and collection of specific taxes on transfers of and agreements to transfer property upon the creation of debts actual or contingent, where evidenced by instruments in writing or in print, or partly in both.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. White introduced

Senate bill No. 236, entitled

A bill to limit the personal responsibility of the city, township and county treasurers.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Counties and Townships.

By unanimous consent the Senate returned to the order of

REPORTS OF STANDING COMMITTEES.

By the Committee on Normal College:

The Committee on Normal College reports

Senate bill No. 80 (file No. 71), entitled

A bill making appropriations for the Michigan State Normal College for current expenses for the fiscal years ending June 30, 1910, and June 30, 1911, and for building and special purposes for said institution for the

fiscal year ending June 30, 1910, and for building and special purposes for the fiscal year ending June 30, 1911, and to provide a tax to meet the same;

With the following amendments thereto:

1. By striking out in line 1 of section 2 the word "thirty-three" and inserting in lieu thereof the word "thirty-one."

2. By striking out in line 3 of section 2 after the word "follows" the words "Enlarging boiler house and rebuilding smoke stack, eight thousand dollars; four new ninety horsepower boilers, eight thousand dollars; telescope, four thousand dollars," and inserting in lieu thereof the words "For building and equipping a new heating plant, eighteen thousand dollars;"

3. By striking out of line 1 of section 3 the words "one hundred" and inserting in lieu thereof the word "sixty."

4. By striking out of line 5 of section 3 the words "one hundred" and inserting in lieu thereof the word "sixty."

5. By striking out of line 9 of section 4 the words "one hundred thirty-three" and inserting in lieu thereof the word "ninety-one."

6. By striking out of line 3 of section 6 the word "ninety-eight" and inserting in lieu thereof the word "ninety-six."

7. By striking out of line 4 of section 6 the word "sixty-five" and inserting in lieu thereof the word "twenty-five;"

Recommend that the amendments be concurred in, and that when so amended the bill be referred to the Committee on Finance and Appropriations.

ARTHUR J. TUTTLE,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Tuttle moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

Mr. Tuttle moved that the Senate concur in the recommendation of the committee that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed.

Mr. Moriarty asked and obtained leave of absence for himself from the remainder of today's session.

Mr. Whitney moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Weter to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

House bill No. 10 (file No. 16), entitled

A bill to prohibit the use of petroleum, coal or kerosene oil for illuminating and heating purposes which have been adulterated or which will emit a combustible vapor at a temperature of one hundred twenty or less degrees, Fahrenheit's thermometer, and to repeal Act 241 of the Public Acts of 1899, entitled "An act to prohibit the use of products of petroleum for illuminating purposes, which have been adulterated, or which will emit a combustible vapor at a temperature less than one hundred twenty-one degrees Fahrenheit's thermometer;"

Also:

House bill No. 9 (file No. 15), entitled

A bill to provide for the regulation of the sale by dealers and the keeping on hand by consumers, of gasoline, benzine, or naphtha, and to repeal Act 181 of the Public Acts of 1899, and Act 178 of the Public Acts of 1907;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

House bill No. 8 (file No. 14), entitled

A bill to amend sections 1, 3, 5 and 6 of Act No. 26, Public Acts of 1899, as amended by Act No. 197, Public Acts of 1903, being "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils and to repeal Act No. 127, Laws of 1879, as amended by Act No. 49 of the Laws of 1881, Act No. 20 of the Laws of 1883, Act No. 71 of the Laws of 1891 and Act No. 94 of the Laws of 1893;"

Has made one amendment thereto, and has directed its chairman to report the same back to the Senate, asking that the amendment be concurred in, and recommend that, as amended, the bill pass.

JAMES E. WETER,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first and second named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendment made to the third named bill in the report and the bill was placed on the order of third reading of bills.

THIRD READING OF BILLS.

House bill No. 10 (file No. 16), entitled

A bill to prohibit the use of petroleum, coal or kerosene oil for illuminating and heating purposes which have been adulterated or which will emit a combustible vapor at a temperature of one hundred twenty or less degrees, Fahrenheit's thermometer, and to repeal Act 241 of the Public Acts of 1899, entitled "An act to prohibit the use of products of petroleum for illuminating purposes, which have been adulterated, or which will emit a combustible vapor at a temperature less than one hundred twenty-one degrees Fahrenheit's thermometer;"

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Krueger	Mr. Taylor
Anhut	Fairbanks	Mapes	Tuttle
Barnaby	Foster	Ming	Watkins
Bates	Fowle	Newton	Weter
Bolt	Fox	Scott	White
Bradley	Kline	Shields	Whitney
Collins			

25

NAYS.

0

The title of the bill was agreed to.

House bill No. 9 (file No. 15), entitled

A bill to provide for the regulation of the sale by dealers and the keeping on hand by consumers, of gasoline, benzine, or naphtha, and to repeal Act 181 of the Public Acts of 1899, and Act 178 of the Public Acts of 1907;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Collins	Mr. Krueger	Mr. Taylor
Anhut	Fairbanks	Mapes	Tuttle
Barnaby	Foster	Ming	Watkins
Bates	Fowle	Newton	Weter
Bolt	Fox	Scott	White
Bradley	Kline	Shields	Whitney

24

NAYS.

0

The title of the bill was agreed to.

House bill No. 8 (file No. 14), entitled

A bill to amend sections 1, 3, 5 and 6 of Act No. 26, Public Acts of 1899, as amended by Act No. 197, Public Acts of 1903, being "An act to

provide for the inspection of illuminating oils manufactured from petroleum or coal oils and to repeal Act No. 127, Laws of 1879, as amended by Act No. 49 of the Laws of 1881, Act No. 20 of the Laws of 1883, Act No. 71 of the Laws of 1891 and Act No. 94 of the Laws of 1893;"

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Collins	Mr. Mapes	Mr. Tuttle	
Anhut	Fairbanks	Ming	Watkins	
Barnaby	Foster	Newton	Weter	
Bates	Fowle	Scott	White	
Bolt	Kline	Sbields	Whitney	
Bradley	Krueger	Taylor		23

NAYS.

0

The title of the bill was agreed to.

Mr. Collins moved that the Senate take a recess until 3:45 o'clock p. m.

The motion prevailed, the time being 3:30 o'clock p. m.

AFTER RECESS.

3:45 o'clock p. m.

The Senate was called to order by the President.
A quorum of the Senate was present.

By unanimous consent the Senate returned to the order of

INTRODUCTION OF BILLS.

Mr. Collins introduced
Senate bill No. 237, entitled

A bill to create a department of public accounts, to provide for uniform accounts of public property and moneys, for uniform reports thereof, and for the audit of public offices and accounts; to prescribe penalties for violations of its provisions; and making appropriations to carry same into effect.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Claims and Public Accounts.

Mr. Foster introduced

Senate bill No. 238, entitled

A bill to repeal Act No. 175 of the Public Acts of 1903, approved June 4, 1903, entitled "An act to create a forestry reserve, to provide for its maintenance, management and regulation, by restoring for sale or homestead entry, lands heretofore reserved in certain counties in this State, to make an appropriation therefor, and to provide a tax to meet the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Forestry and State Lands.

Mr. Ming moved that the Senate adjourn.

The motion prevailed, the time being 4 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 9 o'clock a. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FIFTY-SECOND DAY.

Lansing, Friday, April 2.

9 o'clock a. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Barnaby, Bates, Bradley, Collins, Foster, Fowle, Tuttle—7.

The following Senators were absent with leave: Messrs. Aitkin, Anhut, Dickinson, Fairbanks, Kingman, Kline, Krueger, Mapes, Ming, Moriarty, Scott, Shields, Smith, Snell, Ward, Watkins, Weter, Wetmore, White, Whitney—20.

The following Senators were absent without leave: Messrs. Bolt, Fox, MacKay, Newton, Taylor—5.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the President declared the Senate adjourned until Tuesday, April 6, at 9 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FIFTY-THIRD DAY.

Lansing, Tuesday, April 6.

9 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the Secretary.

The Secretary announced that the President of the Senate was unable to attend today's session and that in the absence of the President pro tem. he had been directed by the President of the Senate to call Senator Wetmore to the chair.

Senator Wetmore took the chair.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Barnaby, Bolt, Bradley, Dickinson, Fairbanks, Fowle, Fox, Mapes, Moriarty, Newton, Smith, Tuttle, Ward, Weter, White, Acting President—17.

The following Senators were absent with leave: Messrs. Kingman, Ming, Scott, Watkins, Whitney—5.

The following Senators were absent without leave: Messrs. Anhut, Bates, Collins, Foster, Kline, Krueger, MacKay, Shields, Snell, Taylor—10.

Mr. Weter moved that leaves of absence be granted to the absentees from today's session.

The motion prevailed.

Mr. Fox asked and obtained leave of absence for Mr. Taylor from the sessions of today and tomorrow, owing to sickness in his family.

Mr. Tuttle asked and obtained indefinite leave of absence for Mr. Kline, owing to sickness in his family.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that
Senate bill No. 216 (file No. 206);
Senate bill No. 219 (file No. 207);
Senate bill No. 220 (file No. 208);
Senate bill No. 221 (file No. 209);
Senate bill No. 222 (file No. 210);

Senate bill No. 223 (file No. 211);
Senate bill No. 77 (file No. 212);
Senate bill No. 225 (file No. 213);
Senate bill No. 226 (file No. 214);
Senate bill No. 23 (file No. 215);
Senate bill No. 227 (file No. 216);
Senate bill No. 228 (file No. 217);
Senate bill No. 229 (file No. 218);
Senate bill No. 230 (file No. 219);
Senate bill No. 231 (file No. 220);
Senate bill No. 232 (file No. 221);
Senate bill No. 233 (file No. 222);
Senate bill No. 234 (file No. 223);
Senate bill No. 235 (file No. 224);
Senate bill No. 236 (file No. 225);
Senate bill No. 237 (file No. 226);
Senate bill No. 238 (file No. 227);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

PRESENTATION OF PETITIONS.

No. 585. By Mr. Fox: Protest of Delbert Middleton and 6 other citizens of Lapeer county against the passage of the Curtiss bill to license vendors of medicine.

The protest was referred to the Committee on Public Health.

No. 586. By Mr. Newton: Protest of Lew Ward and 45 other citizens of Ann Arbor and Ypsilanti on the same subject.

The protest was referred to the Committee on Public Health.

No. 587. By Mr. Dickinson: Petition of Edgar French and 135 other citizens of Grand Ledge in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 588. By Mr. Fairbanks: Petition of John J. White and 11 other members of Sugar Grove Grange No. 1182, of Mason county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 589. By Mr. Newton: Resolutions of school officers of Washtenaw county in favor of the consolidation of incidental and general funds of school districts.

The resolutions were referred to the Committee on Education and Public Schools.

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 163 (file No. 147), entitled

A bill to permit judges of the circuit court to hold courts for each other;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 215 (file No. 201), entitled

A bill authorizing each Probate Judge in this State to appoint a stenographer;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 187 (file No. 171), entitled

A bill to amend section 19 of chapter 91 of the Revised Statutes of 1846, entitled "Jurisdiction, powers and procedure of probate courts," being section 663 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 133 (file No. 119), entitled

A bill to amend section 25 of chapter 33 of the Compiled Laws of 1897, entitled "Jurisdiction, powers and procedure of probate courts;"

With the following amendment thereto:

1. By striking out enacting section 1 and inserting in lieu thereof a new enacting section to stand as section 1 and to read as follows:

Section 1. That section 25 of chapter 91 of the Revised Statutes of 1846, entitled "Jurisdiction, powers and procedure of probate courts," being compiler's section 669 of the Compiled Laws of 1897, is hereby amended to read as follows:

Recommend that the amendment be concurred in, and that when so amended the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged. Mr. Wetmore moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
April 1, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 130 (file No. 155), entitled

A bill making appropriations for the Michigan State Horticultural Society for the fiscal years ending June 30, 1910, and June 30, 1911, for the purposes of promoting the horticultural interests of the State and the editing and compiling of reports, and to provide a tax to meet the same;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Horticulture.

The following message from the House was also received and read:

House of Representatives,
April 1, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 332 (file No. 144), entitled

A bill to create a State board to be known as the Board of Prison Industries of Michigan, and to define the duties, powers and authority of said board; and to prohibit the making of any new contract or extending the provisions or time of any existing contract;

And to inform the Senate that the bill has passed the House and has been ordered to take immediate effect.

In this action of the House the concurrence of the Senate is respectfully asked:

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

The following message from the House was also received and read:

House of Representatives,
April 1, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 283 (file No. 131), entitled

A bill to establish uniform weights and measures of the various products of cereals in barrels or the fractional parts thereof when packed for sale or exposed for sale to firms or persons within this State, and to provide for the marking of the weight on packages of the products of such cereals;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

The following message from the House was also received and read:

House of Representatives,
April 1, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 117 (file No. 147), entitled

A bill to amend sections 19 and 21 of chapter 18 of the Revised Statutes of 1846, entitled "Of fences and fence viewers; of pounds and the impounding of cattle," being compiler's sections 2433 and 2435 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Counties and Townships.

The following message from the House was also received and read:

House of Representatives,
April 1, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 11 (file No. 148), entitled

A bill to provide for expense to furnish official information from the records of the adjutant general's office for which no provision is made, pertaining to the enlistment, muster, history and final disposition of the soldiers and sailors from this State, during the War of the Rebellion and Spanish-American war; to furnish certificates of service to applicants where the soldier's muster out or discharge papers are lost; to furnish such information from the records of the office as to establish the soldier's or sailor's military or naval history; to distribute the regimental records and to make an appropriation therefor, and to provide for a tax to meet the same;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Military Affairs.

The following message from the House was also received and read:

House of Representatives,
April 1, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to re-transmit to the Senate the following bill:

House bill No. 232 (file No. 99), entitled

A bill to amend section 1 of chapter 5 of Act No. 254 of the Public Acts of 1897, entitled "An act to provide for the construction and maintenance of drains and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto," the same being compiler's section 4344 of the Compiled Laws of 1897, having been last amended by Act No. 272 of the Public Acts of 1899;

Which the Senate amended as follows:

1. By inserting in line 3 of section 1 after the word "traversed," the words, "or benefited."
2. By striking out of line 6 of section 1 the words, "or townships."
3. By inserting in line 8 of section 1 after the word "drain" the words "unless the township highway commissioner shall before such apportionment is made, certify in writing to such drain commissioner that as a means of improving any highway within the township, it is necessary that more than twenty-five per cent of the entire cost be assessed to such township, in which case the county drain commissioner shall determine the percentage of the entire cost to be assessed to such township;"

And now to inform the Senate that the House
Has not concurred in the adoption of said amendments.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

Mr. Fox moved that the bill be laid on the table.
The motion prevailed.

INTRODUCTION OF BILLS.

Mr. Tuttle introduced

Senate bill No. 239, entitled

A bill to provide for the incorporation of cities and for changing
their boundaries.

The bill was read a first and second time by its title, ordered printed,
and referred to the Committee on Cities and Villages.

Mr. White moved that the Senate resolve itself into the committee
of the whole on the

GENERAL ORDER.

The motion prevailed.

The Acting President called Mr. White to the chair.

After some time spent therein, the committee rose and through its
chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 161 (file No. 145), entitled

A bill to amend Act No. 35 of the Public Acts of 1907, entitled "An
act to provide for the establishment of county schools of agriculture,
manual training and domestic economy," by adding thereto a new sec-
tion to be numbered section 10;

Has made sundry amendments thereto, and has directed its chairman
to report the same back to the Senate, asking that the amendments be
concurred in and recommend that, as amended, the bill pass.

CHAS. E. WHITE,

Chairman.

The report was accepted.

The Senate concurred in the amendments made to the bill named
in the report and the bill was placed on the order of third reading
of bills.

THIRD READING OF BILLS.

Senate bill No. 130 (file No. 116), entitled

A bill to provide that it shall be unlawful for any person to make a
false written statement of their property valuation to obtain credit from
any other person, company, co-partnership or corporation, and providing
a penalty for the violation thereof;

Was read a third time and not passed, a majority of all the Senators-elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fowle	Mr. Newton	Mr. Ward
Barnaby	Fox	Smith	White
Bradley	Mapes	Tuttle	Acting President
Dickinson	Moriarty		14

NAYS.

Mr. Bolt

1

Mr. Moriarty moved to reconsider the vote by which the Senate refused to pass the above entitled bill.

The motion prevailed.

The question being on the passage of the bill,

Mr. Moriarty moved that the bill be laid on the table.

The motion prevailed.

Senate bill No. 176 (file No. 202), entitled

A bill to amend section 28 of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien upon the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891, and all other acts and parts of acts in anywise contravening any of the provisions of this act," the same being compiler's section 3851 of the Compiled Laws of 1897, as amended by Act No. 129 of the Public Acts of 1901;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Moriarty	Mr. Ward
Barnaby	Fowle	Newton	Weter
Bolt	Fox	Smith	White
Bradley	Mapes	Tuttle	Acting President
Dickinson			17

NAYS.

0

The title of the bill was agreed to.

Mr. Weter moved that the Senate adjourn.

The motion prevailed, the time being 9:45 o'clock p. m.

The Acting President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FIFTY-FOURTH DAY.

Lansing, Wednesday, April 7.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—30.

The following Senator was absent with leave: Mr. Kline—1.

The following Senator was absent without leave: Mr. Collins—1.

Mr. Bates moved that leave of absence be granted to the absentee from today's session.

The motion prevailed.

ANNOUNCEMENTS FROM THE SECRETARY.

The Secretary announced that the following bill had been printed and that it was presented to the Governor for approval April 1:

Senate bill No. 76 (file No. 107, enrolled No. 15).

PRESENTATION OF PETITIONS.

No. 590. By Mr. Tuttle: Petition of I. A. Bird and 8 other members of Wheatfield Grange No. 851, of Ingham county, in favor of the passage of the Baker bill requiring telephone companies to interchange service.

The petition was referred to the Committee on State Affairs.

No. 591. By Mr. Tuttle: Petition of Richard H. Putnam and 18 other members of Leroy Grange No. 840, of Ingham county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 592. By Mr. Tuttle: Petition of M. O. Mead and 39 other members of Aurelius Grange No. 857, of Ingham county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 593. By Mr. Bradley: Petition of Frank Freeman and 9 other members of South Boston Grange No. 179, of Ionia county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 594. By Mr. Bradley: Petition of George W. Giermann and 15 other members of Sebewa Grange No. 163, of Ionia county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 595. By Mr. Bradley: Petition of Henry E. Nielsen and 52 other members of Ronald Grange No. 192, of Ionia county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 596. By Mr. Ming: Petition of George L. Snow and 6 other members of Nunda Grange No. 1270, of Cheboygan county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 597. By Mr. Wetmore: Petition of F. L. Church and 13 other members of Eastport Grange No. 470, of Antrim county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 598. By Mr. Wetmore: Petition of Frank Sours and 9 other members of Elk Lake Grange No. 469, of Grand Traverse county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 599. By Mr. Wetmore: Petition of Idah Bechtel and 6 other members of Missaukee Grange No. 918, of Missaukee county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 600. By Mr. Wetmore: Petition of Ervin Bechtel and 11 other members of Missaukee Grange No. 918, of Missaukee county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 601. By Mr. Wetmore: Petition of Frank Sours and 9 other members of Elk Lake Grange No. 469, of Grand Traverse county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 602. By Mr. Tuttle: Petition of Owen Karn and 7 other members of Wheatfield Grange No. 851, of Ingham county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 603. By Mr. Tuttle: Petition of Richard H. Putnam and 18 other members of Leroy Grange No. 840, of Ingham county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 604. By Mr. Tuttle: Resolutions of Camp No. 6090, M. W. of A., of Bancroft, protesting against the passage of the minimum rate bill for fraternal insurance societies.

The resolutions were referred to the Committee on Insurance.

No. 605. By Mr. Scott: Protest of W. M. Smith and 65 other members of Camp No. 5864, M. W. of A., of Wayne, on the same subject.

The protest was referred to the Committee on Insurance.

No. 606. By Mr. Scott: Protest of James Holton and 35 other farmers of Wayne county against the passage of the Curtiss bill to license vendors of medicine.

The protest was referred to the Committee on Public Health.

No. 607. By Mr. Whitney: Protest of Charles Adams and 40 other citizens of Saginaw, Bay, Midland and Tuscola counties on the same subject.

The protest was referred to the Committee on Public Health.

No. 608. By Mr. Tuttle: Protest of J. A. Horton and 20 other citizens of Shiawassee county on the same subject.

The protest was referred to the Committee on Public Health.

No. 609. By Mr. Bradley: Protest of Charles Marsh and 8 other farmers of Montcalm county on the same subject.

The protest was referred to the Committee on Public Health.

No. 610. By Mr. Scott: Petition of A. A. Bush and 25 other citizens of Detroit in favor of the passage of the Ming employer's liability bill.

The petition was referred to the Committee on Railroads.

No. 611. By Mr. Ming: Petition of Alfred J. Exton and 15 other citizens of Detroit on the same subject.

The petition was referred to the Committee on Railroads.

No. 612. By Mr. Ming: Petition of E. J. Meyers and 26 other members of Lodge No. 5, A. F. of M., of Detroit, on the same subject. The petition was referred to the Committee on Railroads.

No. 613. By Mr. Ming: Petition of Fred Wilkens and 12 other citizens of Detroit on the same subject. The petition was referred to the Committee on Railroads.

No. 614. By Mr. Ming: Petition of Harry Short and 28 other citizens of Detroit on the same subject. The petition was referred to the Committee on Railroads.

No. 615. By Mr. Tuttle: Resolutions of D. G. Royce Post No. 117, G. A. R., of Byron, in favor of the passage of the Chandler bill exempting property of veterans of the Civil War from taxation. The resolutions were referred to the Committee on Taxation.

No. 616. By Mr. Tuttle: Resolutions of Phil McKernan Post No. 53, G. A. R., of Mason, on the same subject. The resolutions were referred to the Committee on Taxation.

No. 617. By Mr. Tuttle: Petition of J. P. Scott and 51 other locomotive engineers of Shiawassee county urging an amendment to the fraternal insurance law which will exempt the Brotherhood of Locomotive Engineers from the provisions of such law. The petition was referred to the Committee on Insurance.

No. 618. By Mr. White: Protest of Joe Donovan and 19 other citizens of St. Joseph against the passage of the Collins labor bill. The protest was referred to the Committee on Labor Interests.

No. 619. By Mr. Taylor: Protest of E. Middleton and 38 other citizens of Kalamazoo on the same subject. The protest was referred to the Committee on Labor Interests.

No. 620. By Mr. MacKay: Protest of E. Berlin and 21 other citizens of Detroit on the same subject. The protest was referred to the Committee on Labor Interests.

No. 621. By Mr. Bradley: Protest of Katherine Schulte and 64 other employes of the Ireland & Matthews Mfg. Co., of Detroit, against the passage of the Taylor child labor bill. The protest was referred to the Committee on Labor Interests.

No. 622. By Mr. MacKay: Protest of W. N. Whittemore and 249 other employes of the Kemiweld Can Co., of Detroit, on the same subject. The protest was referred to the Committee on Labor Interests.

MOTIONS AND RESOLUTIONS.

Mr. Wetmore offered the following resolution:

Senate resolution No. 82.

Whereas, The Senate has learned with deep regret of the death of the only boy of our esteemed colleague, Senator Fred B. Kline; therefore be it

Resolved, By the Senate of the State of Michigan, That we do hereby express our profound sorrow by reason of this affliction which has come to our friend and colleague, and do hereby extend to him and to his family our sincere and heartfelt sympathy; and be it further

Resolved, That the Secretary be instructed to transmit to Senator Kline a copy of this resolution.

The resolution was adopted.

Mr. MacKay offered the following resolution:

Senate resolution No. 83.

Whereas, The Senate has learned with profound sorrow of the death, at Newaygo, Michigan, of Mr. George E. Taylor, brother of Hon. Walter R. Taylor, Senator from the Sixth District; therefore be it

Resolved, That the Senate, by means of this resolution, extend to Senator Taylor the deep sympathy of its members, and be it further

Resolved, That a copy of the resolution be transmitted to Senator Taylor.

The resolution was adopted.

Mr. Ward offered the following resolution:

Senate resolution No. 84.

Resolved, That the regular standing committee of the Senate on Home for Feeble-Minded at Lapeer, consisting of Senators Ward, Ming and Bolt, and Senator Fairbanks, member of the Committee on Finance and Appropriations, be and hereby are granted authority to visit that institution.

Mr. Ward moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Ward offered the following resolution:

Senate resolution No. 85.

Resolved, That the regular standing committee of the Senate on School for Deaf at Flint, consisting of Senators Ward, Moriarty and Anhut, and Senator Fairbanks, members of the Committee on Finance and Appropriations, be and hereby are granted authority to visit that institution.

Mr. Ward moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations reports

Senate bill No. 146 (file No. 132), entitled

A bill making an appropriation for the Michigan Forestry Commission;

With the recommendation that the bill pass.

E. N. BATES,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 211 (file No. 197), entitled

A bill to amend section 1 of Act No. 175 of the Public Acts of 1905, entitled "An act to regulate the employment of expert witnesses;"

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 225 (file No. 213), entitled

A bill to amend sections 1, 16 and 25 of Act No. 207 of the Public Acts of 1889, approved June 29, 1889, entitled "An act to prohibit the manufacture, sale, keeping for sale, giving away, or furnishing of vinous, malt, brewed, fermented, spirituous or intoxicating liquors, or any mixed liquor or beverage, any part of which is intoxicating, and to prohibit the keeping of any saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of such liquors or beverages, and to suspend the general laws of the State relative to the taxation and regulation of the manufacture and sale of such liquors in the several counties of this State under certain circumstances; to authorize the qualified electors of the several counties of this State to express their will in regard to such prohibition by an election, and to authorize and empower the boards of supervisors of the several counties, after such election, if they shall determine the result to be in favor of such prohibition, to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of any such liquors, or the keeping of a saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of the same in their respective counties, and to provide for penalties and rights of action in case of its violation," as amended and added to by Act No. 183, of the Public Acts of 1899, approved April 18, 1899, and by Act No. 170, Public Acts of 1903, approved

June 3, 1903, and to add 13 new sections to stand as sections 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38;

With the recommendation that the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Taxation:

The Committee on Taxation reports

House bill No. 222 (file No. 123), entitled

A bill to exempt from taxation bonds hereafter issued by any school district within the State of Michigan;

With the following amendment thereto;

1. By inserting in line 1 of section 1 after the word "any" the words "county, township, city, village or;"

Recommend that the amendment be concurred in, and that when so amended, the bill pass.

EARL FAIRBANKS,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Fairbanks moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
April 6, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 82 (file No. 73), entitled

A bill to amend Act No. 32 of the Public Acts of 1905, entitled "An act to amend the title and section 1 of Act No. 91 of the Public Acts of 1903, entitled 'An act to authorize the several courts of the State having jurisdiction in criminal cases, to hold or place persons convicted of a crime or misdemeanor on probation, under the care of probation officers provided in this act.'"

And to inform the Senate that the House has amended the same as follows:

1. Amend by striking out of line 1 of the enacting section the words "The title and."

2. Amend by striking out of line 6 of the enacting section the words "are hereby amended to read as follows" and inserting the word "entitled."

3. Amend by inserting in line 12 of the enacting section after the word "reformation" the words "is hereby amended to read as follows."

4. Amend by striking out of line 1 of section 2 the figure "2" and inserting in lieu thereof the figure "1."

And that in the passage of the bill, as thus amended, the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the amendments made to the bill by the House,

Mr. Ming moved that the bill be laid on the table.

The motion prevailed.

The following message from the House was also received and read:

House of Representatives,
April 6, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 156 (file No. 157), entitled

A bill to amend sections 17 and 20 of chapter 2, sections 3, 4, 9, and 25 of chapter 3 and sections 4, 5 and 6 of chapter 10 of Act 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all acts or parts of acts contravening the provisions of this act," being sections 4662, 4665, 4668, 4669, 4674, 4691, 4749, 4750 and 4751 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

The following message from the House was also received and read:

House of Representatives,
April 6, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 151 (file No. 137), entitled

A bill to amend section 51 of chapter 14 of the Revised Statutes of 1846, being compiler's section 2549 of the Compiled Laws of 1897, so as to provide for two judges of probate in certain cases;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
April 6, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 99 (file No. 89), entitled

A bill to amend section 37 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," said section being compiler's section 399 of the Compiled Laws of 1897;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
April 6, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 65 (file No. 60), entitled

A bill limiting the amount which may be raised in any county in any one year by the board of supervisors;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

INTRODUCTION OF BILLS.

Mr. Anhut, by request, introduced

Senate bill No. 240, entitled

A bill to change the names of John Theodore Sjoordema, George Sjoordema, Theodore Sjoordema, William Sjoordema and Orsalena Sjoordema, to John Sjoordema Sherman, George Sjoordema Sherman, Theodore Sjoordema Sherman, William Sjoordema Sherman and Orsalena Sjoordema Sherman, respectively.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Anhut introduced

Senate bill No. 241, entitled

A bill to amend section 15 of Act No. 238 of the Public Acts of 1897, being "An act for the ascertainment and protection of the interests of the State in escheated estates," the same being compiler's section 1227 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. MacKay introduced

Senate bill No. 242, entitled

A bill to prohibit the sale of fruits, vegetables, berries or nuts in baskets, boxes, cases, drawers or other receptacles less than legal measure.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Bolt introduced

Senate bill No. 243, entitled

A bill to facilitate the bringing to trial of causes pending in the circuit, superior and circuit courts in chancery of this State, without notice of trial or notes of issue, to define the rights and duties of parties thereto and to repeal compiler's sections 10220 and 10221 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Bolt introduced

Senate bill No. 244, entitled

A bill to enlarge and extend the powers and duties of circuit courts and circuit courts in chancery and superior courts of the State of Michigan.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Bolt introduced

Senate bill No. 245, entitled

A bill to prescribe the time within which circuit and superior courts shall decide causes and matters, render judgment therein and file special

findings of fact and conclusions of law thereon when proper in cases tried before the courts without a jury.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Scott introduced

Senate bill No. 246, entitled

A bill making it unlawful for any person or association of persons, incorporated or unincorporated, whether operating under a name assumed or otherwise, to make any statement or to issue and circulate or cause to be issued and circulated any statement by advertisement in any newspaper, magazine or other publication or by printed or written circulars, letters, cards or other documents containing a false or incomplete official record of any public officer in this State tending to mislead the public and prescribing punishment for violation of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Bradley introduced

Senate bill No. 247, entitled

A bill making appropriation for the State Asylum at Ionia for the fiscal year ending June 30, 1910, for building and special purposes, and to provide a tax to meet the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Asylum.

Mr. Moriarty introduced

Senate bill No. 248, entitled

A bill to amend section 5 of Act No. 184 of the Public Acts of 1905, entitled "An act to provide for the indeterminate sentence as a punishment for crime upon the conviction thereof, and for the detention and release of persons in prison or detained on such sentence and for the expense attending the same," approved June 7, 1905.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Moriarty introduced

Senate bill No. 249, entitled

A bill to amend section 6 of Act No. 184 of the Public Acts of 1905, entitled "An act to provide for the indeterminate sentence as a punishment for crime upon the conviction thereof, and for the detention and release of persons in prison or detained on such sentence and for the expense attending the same," approved June 7, 1905, and to add three new sections to said act to stand as sections 18, 19 and 20.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Moriarty moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Moriarty to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 77 (file No. 212), entitled

A bill relative to the payment of the salary or compensation of all officers and employes of the State;

Also:

Senate bill No. 163 (file No. 147), entitled

A bill to permit judges of the circuit court to hold courts for each other;

Also:

Senate bill No. 215 (file No. 201), entitled

A bill authorizing each Probate Judge in this State to appoint a stenographer;

Also:

Senate bill No. 187 (file No. 171), entitled

A bill to amend section 19 of chapter 91 of the Revised Statutes of 1846, entitled "Jurisdiction, powers and procedure of probate courts," being section 663 of the Compiled Laws of 1897;

Also:

Senate bill No. 211 (file No. 197), entitled

A bill to amend section 1 of Act No. 175 of the Public Acts of 1905, entitled "An act to regulate the employment of expert witnesses;"

Also:

Senate bill No. 146 (file No. 132), entitled

A bill making an appropriation for the Michigan Forestry Commission;

Also:

House bill No. 222 (file No. 123), entitled

A bill to exempt from taxation bonds hereafter issued by any school district within the State of Michigan;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate bill No. 225 (file No. 213), entitled

A bill to amend sections 1, 16 and 25 of Act No. 207 of the Public Acts of 1889, approved June 29, 1889, entitled "An act to prohibit the manufacture, sale, keeping for sale, giving away, or furnishing of vinous, malt, brewed, fermented, spirituous or intoxicating liquors, or any mixed liquor or beverage, any part of which is intoxicating, and to prohibit the keeping of any saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of such liquors or beverages, and to suspend the general laws of the State relative to the taxation and regulation of the manufacture and sale of such liquors in the several counties of this State under certain circumstances; to authorize the qualified electors of the several counties of this State to express their will in regard to such prohibition by an election, and to authorize and empower the boards of supervisors of the several counties, after such

election, if they shall determine the result to be in favor of such prohibition, to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of any such liquors, or the keeping of a saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of the same in their respective counties, and to provide for penalties and rights of action in case of its violation," as amended and added to by Act No. 183, of the Public Acts of 1899, approved April 18, 1899, and by Act No. 170, Public Acts of 1893, approved June 3, 1903, and to add 13 new sections to stand as sections 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in and recommend that, as amended, the bill pass.

M. H. MORIARTY,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first seven bills named in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendments made to the eighth named bill in the report and the bill was placed on the order of third reading of bills.

THIRD READING OF BILLS.

House bill No. 202 (file No. 79), entitled

A bill to secure to the minority of members in partnership associations organized under the provisions of Act No. 191 of the Public Acts of 1877, and acts amendatory thereto, the same being compiler's section 160 of the Compiled Laws of 1897, the power of electing a representative membership in the boards of managers of such partnership associations;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Tuttle	
Anhut	Fowle	Newton	Ward	
Barnaby	Fox	Scott	Watkins	
Bates	Kingman	Shields	Weter	
Bolt	Krueger	Smith	Wetmore	
Bradley	MacKay	Snell	White	
Dickinson	Mapes	Taylor	Whitney	
Fairbanks	Ming			30

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 161 (file No. 145), entitled

A bill to amend Act No. 35 of the Public Acts of 1907, entitled "An act to provide for the establishment of county schools of agriculture, manual training and domestic economy," by adding thereto a new section to be numbered section 10;

Was read a third time and passed, two-thirds of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fowle	Mr. Moriarty	Mr. Tuttle
Anhut	Fox	Newton	Ward
Barnaby	Kingman	Scott	Watkins
Bates	Krueger	Shields	Weter
Bolt	MacKay	Smith	Wetmore
Bradley	Mapes	Snell	White
Dickinson	Ming	Taylor	Whitney
Fairbanks			

29

NAYS.

Mr. Foster

1

The question being on agreeing to the title,

Mr. Fowle moved to amend the title so as to read as follows:

"A bill to amend Act No. 35 of the Public Acts of 1907, entitled 'An act to provide for the establishment of county schools of agriculture, manual training and domestic economy,' by adding thereto a new section to be numbered section 10, and to make an appropriation therefor."

The motion prevailed, and the title of the bill was so amended.

. The title of the bill as amended was then agreed to.

Senate bill No. 77 (file No. 212), entitled

A bill relative to the payment of the salary or compensation of all officers and employes of the State;

Was read a third time and passed, a majority of all the Senator-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Tuttle
Anhut	Fowle	Newton	Ward
Barnaby	Fox	Scott	Watkins
Bates	Kingman	Shields	Weter
Bolt	Krueger	Smith	Wetmore
Bradley	MacKay	Snell	White
Dickinson	Mapes	Taylor	Whitney
Fairbanks	Ming		

30

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 163 (file No. 147), entitled

A bill to permit judges of the circuit court to hold courts for each other;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Tuttle
Anhut	Fowle	Newton	Ward
Barnaby	Fox	Scott	Watkins
Bates	Kingman	Shields	Weter
Bolt	Krueger	Smith	Wetmore
Bradley	MacKay	Snell	White
Dickinson	Mapes	Taylor	Whitney
Fairbanks	Ming		

30

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 215 (file No. 201), entitled

A bill authorizing each Probate Judge in this State to appoint a stenographer;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Ward
Barnaby	Fowle	Scott	Watkins
Bates	Fox	Shields	Weter
Bolt	Krueger	Smith	Wetmore
Bradley	MacKay	Snell	White
Dickinson	Mapes	Tuttle	Whitney
Fairbanks	Ming		

26

NAYS.

Mr. Anhut	Mr. Newton	Mr. Taylor
-----------	------------	------------

3

The title of the bill was agreed to.

Senate bill No. 187 (file No. 171), entitled

A bill to amend section 19 of chapter 91 of the Revised Statutes of 1846, entitled "Jurisdiction, powers and procedure of probate courts," being section 663 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks.	Mr. Mapes	Mr. Tuttle
Anhut	Foster	Ming	Ward
Barnaby	Fowle	Moriarty	Watkins
Bates	Fox	Scott	Weter
Bolt	Kingman	Shields	Wetmore
Bradley	Krueger	Snell	White
Dickinson	MacKay	Taylor	Whitney

28

NAYS.

Mr. Newton

Mr. Smith

2

The title of the bill was agreed to.

Senate bill No. 211 (file No. 197), entitled

A bill to amend section 1 of Act No. 175 of the Public Acts of 1905, entitled "An act to regulate the employment of expert witnesses;"

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Anhut
Barnaby
Bates
Bolt
Bradley
Dickinson
Fairbanks

Mr. Foster
Fowle
Fox
Kingman
Krueger
MacKay
Ming
Mapes

Mr. Moriarty
Newton
Scott
Shields
Smith
Snell
Taylor

Mr. Tuttle
Ward
Watkins
Weter
Wetmore
White
Whitney

30

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 146 (file No. 132), entitled

A bill making an appropriation for the Michigan Forestry Commission;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Anhut
Barnaby
Bates
Bolt
Bradley
Dickinson

Mr. Foster
Fowle
Fox
Kingman
Krueger
MacKay
Mapes

Mr. Ming
Moriarty
Scott
Shields
Smith
Snell
Taylor

Mr. Tuttle
Ward
Watkins
Weter
Wetmore
White
Whitney

28

NAYS.

Mr. Newton

1

The title of the bill was agreed to.

Mr. Mapes moved that the bill be ordered to take immediate effect for the reason that the bill comes under the provisions of section 21 of Article V of the Constitution of the State of Michigan, which provides "that the Legislature may give immediate effect to acts immediately necessary for the preservation of the public peace, health or safety."

The motion prevailed and the bill was ordered to take immediate effect, two-thirds of all the Senators-elect voting therefor.

House bill No. 222 (file No. 123), entitled

A bill to exempt from taxation bonds hereafter issued by any school district within the State of Michigan;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle
Anhut	Fowle	Moriarty	Ward
Barnaby	Fox	Scott	Watkins
Bates	Kingman	Shields	Weter
Bolt	Krueger	Smith	Wetmore
Bradley	Mackay	Snell	White
Dickinson	Mapes	Taylor	Whitney

28

NAYS.

Mr. Newton

1

The question being on agreeing to the title,

Mr. Mapes moved to amend the title so as to read as follows:

"A bill to exempt from taxation bonds hereafter issued by any county, township, city, village or school district within the State of Michigan."

The motion prevailed, and the title of the bill was so amended.

The title of the bill as amended was then agreed to.

By unanimous consent the Senate returned to the order of

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House, respectfully to request the return to the House of the following bill:

House bill No. 232 (file No. 99), entitled

A bill to amend section 1 of chapter 5 of Act No. 254 of the Public Acts of 1897, entitled "An act to provide for the construction and maintenance of drains and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto," the same being compiler's section 4344 of the Compiled Laws of 1897, having been last amended by Act No. 272 of the Public Acts of 1899.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

Mr. Shields moved that the above entitled bill be taken from the table.

The motion prevailed.

The question being on complying with the request of the House for the return of the bill,

Mr. Shields moved that the request be granted.

The motion prevailed.

The following message from the House was also received and read:

House of Representatives,
April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House, respectfully to request the re-transmittal to the House of the following bill:

Senate bill No. 82 (file No. 73), entitled

A bill to amend Act No. 32 of the Public Acts of 1905, entitled "An act to amend the title and section 1 of Act No. 91 of the Public Acts of 1893, entitled 'An act to authorize the several courts of the State having jurisdiction in criminal cases, to hold or place persons convicted of a crime or misdemeanor on probation, under the care of probation officers provided in this act.'"

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The question being on complying with the request of the House for the re-transmittal of the above entitled bill,

Mr. Ming moved that the bill be taken from the table.

The motion prevailed.

Mr. Ming moved that the bill be re-transmitted to the House in compliance with the request therefor.

The motion prevailed.

Mr. Moriarty moved to take from the table

Senate bill No. 130 (file No. 116), entitled

A bill to provide that it shall be unlawful for any person to make a false written statement of their property valuation to obtain credit from any other person, company, co-partnership or corporation and providing a penalty for the violation thereof.

The motion prevailed.

The question being on the passage of the bill,

The bill was then passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Tuttle	
Anhut	Fowle	Newton	Ward	
Barnaby	Fox	Scott	Watkins	
Bates	Kingman	Shields	Weter	
Bolt	Krueger	Smith	Wetmore	
Bradley	MacKay	Snell	White	
Dickinson	Mapes	Taylor	Whitney	
Fairbanks	Ming			30

NAYS.

0

The title of the bill was agreed to.

Mr. Tuttle asked and obtained leave of absence for himself from tomorrow's session.

Mr. Ward asked and obtained leave of absence for the Committee on Home for Feeble-Minded consisting of Senators Ward, Ming and Bolt, and for the Committee on School for Deaf, consisting of Senators Ward, Moriarty and Anhut, also for Senator Fairbanks, member of the Committee on Finance and Appropriations, from tomorrow's session after 3 o'clock and from the session of Friday.

Mr. Anhut moved that the Senate adjourn.

The motion prevailed, the time being 4 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FIFTY-FIFTH DAY.

Lansing, Thursday, April 8.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—31.

The following Senator was absent with leave: Mr. Kline—1.

PRESENTATION OF PETITIONS.

No. 623. By Mr. Weter: Petition of Charles A. Pratt and 28 other members of Armada Grange No. 445, of Macomb county, in favor of the passage of the Baker bill requiring telephone companies to interchange service.

The petition was referred to the Committee on State Affairs.

No. 624. By Mr. Ming: Petition of E. P. Wyckoff and 55 other members of Hillman Grange No. 1132, of Montmorency county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 625. By Mr. Wetmore: Petition of William Stewart and 18 other members of Cherry Grove Grange No. 920, of Wexford county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 626. By Mr. Ming: Petition of A. B. C. Comstock and 9 other citizens of Gaylord in favor of the passage of the Giles optometry bill.

The petition was referred to the Committee on Public Health.

No. 627. By Mr. Ming: Petition of Thomas Calverly and 34 other members of Red Jacket Lodge, B. of R. T., of Calumet, in favor of the passage of the Ming employer's liability bill.

The petition was referred to the Committee on Judiciary.

No. 628. By Mr. Scott: Petition of F. E. Stewart and 27 other citizens of Detroit on the same subject.

The petition was referred to the Committee on Judiciary.

No. 629. By Mr. Mapes: Petition of J. Cummings and 24 other members of Valley City Lodge No. 180, B. of R. T., of Grand Rapids, on the same subject.

The petition was referred to the Committee on Judiciary.

No. 630. By Mr. Mapes: Petition of Charles W. Fick and 31 other members of Lodge No. 84 of the Brotherhood of Boiler Makers, of Grand Rapids, on the same subject.

The petition was referred to the Committee on Judiciary.

No. 631. By Mr. Barnaby: Protest of J. B. Hawkinson and 7 other citizens of Kent county against the passage of the bill requiring all hunters and gun owners to have a license.

The protest was referred to the Committee on Gaming Interests.

No. 632. By Mr. Mapes: Resolutions of the Workingmen's Board of Trade of Grand Rapids in favor of the passage of House bill No. 74 abolishing the contract system of convict labor.

The resolutions were referred to the Committee on Labor Interests.

REPORTS OF STANDING COMMITTEES.

By the Committee on Insurance:

The Committee on Insurance reports

Senate bill No. 173 (file No. 157), entitled

"A bill to repeal an act, entitled 'An act to incorporate mutual benefit societies, membership in which is confined to a single city, village or township,' except as to existing corporations, the same being Act No. 196 of the Public Acts of 1891;"

With the recommendation that the bill pass.

J. H. WHITNEY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Insurance:

The Committee on Insurance reports

Senate bill No. 172 (file No. 156), entitled

"A bill to repeal an act, entitled 'An act to provide for the incorporation of mutual provident associations of miners, trammers, timbermen, landers, engineers, blacksmiths, carpenters and all other laborers in and about the iron, gold, silver, lead, copper and coal mines,' the same being Act No. 104, Public Acts of 1891;"

With the recommendation that the bill pass.

J. H. WHITNEY,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Insurance:

The Committee on Insurance reports

Senate bill No. 174 (file No. 158), entitled

"A bill to repeal Act No. 275 of the Public Acts of 1889, entitled 'An act to provide for the incorporation of mutual provident associations of commercial travelers, agents, managers, salesmen, secretaries, cashiers, tellers, bookkeepers, stenographers, correspondents, typewriters and persons engaged in other clerical work,' except as to existing corporations;"

With the recommendation that the bill pass.

J. H. WHITNEY,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Insurance:

The Committee on Insurance reports

House bill No. 269 (file No. 108), entitled

"A bill to amend section 1 of Act No. 259 of the Public Acts of 1907, entitled 'An act relating to the salaries of officers and agents of life insurance companies;"

With the recommendation that the bill pass.

J. H. WHITNEY,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Insurance:

The Committee on Insurance reports

Senate bill No. 175 (file No. 159), entitled

"A bill to repeal an act, entitled 'An act to provide for the incorporation of companies or associations having for their objects the in-

insurance of bicycles and to define their powers and duties,' the same being Act No. 157 of the Public Acts of 1897;"

With the recommendation that the bill pass.

J. H. WHITNEY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Insurance:

The Committee on Insurance reports

Senate bill No. 218 (file No. 204), entitled

"A bill to regulate the filing of annual statements by insurance companies doing business in this State and the issuance of certificates of authority thereto by the Commissioner of Insurance;"

With the recommendation that the bill pass.

J. H. WHITNEY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Public School:

The Committee on State Public School reports

Senate bill No. 43 (file No. 41), entitled

A bill to make appropriation for the State Public School for the fiscal year ending June 30, 1910, and June 30, 1911, and provide a tax to meet the same;

With the recommendation that the bill be referred to the Committee on Finance and Appropriations.

GUSTAV A. KRUEGER,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Krueger moved that the Senate concur in the recommendation of the committee that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed and the bill was so referred.

By the Committee on State Public School:

The Committee on State Public School reports

House bill No. 34 (file No. 135), entitled

A bill to amend sections 5 and 9 of Act No. 143 of the Public Acts of 1903, entitled "An act to provide for the government, management and control of the State Public School at Coldwater, and to repeal all acts or parts of acts inconsistent with this act," as amended by Act No. 301 of the Public Acts of 1907; and to add a new section to said Act No. 143;

With the recommendation that the bill pass.

GUSTAV A. KRUEGER,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Agricultural Interests:
The Committee on Agricultural Interests reports
House bill No. 148 (file No. 105), entitled

A bill to require a stamp or label on every ball of binder twine sold, exposed or offered for sale within this State, and providing a penalty for the violation thereof;

With the recommendation that the bill pass.

L. W. SNELL,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Religious and Benevolent Societies:
The Committee on Religious and Benevolent Societies reports
House bill No. 132 (file No. 118), entitled

A bill to amend section 1 of Act 154 of the Public Acts of 1893, entitled "An act to provide for the extension of the term of existence of corporations or associations organized under Act No. 87 of Acts of the Legislature of the State of Michigan of 1855, approved February 12, 1855, entitled 'An act relating to burying grounds,' or under said act as amended, the corporate term of existence of which has heretofore expired, or may hereafter expire by limitation, and to fix the duties and liabilities of such renewed corporations or associations," being section 8398 of the Compiled Laws of 1897, and to add another section to said Act 154;

With the recommendation that the bill pass.

L. D. DICKINSON,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Taxation:
The Committee on Taxation reports
Senate bill No. 226 (file No. 214), entitled

A bill to amend compiler's section 3896 of the Compiled Laws of 1897, the same being section 73 of the general tax law;

With the recommendation that the bill pass.

EARL FAIRBANKS,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Fisheries:
The Committee on Fisheries reports
House bill No. 282 (file No. 150), entitled

"A bill to prohibit the taking, catching or killing of certain species

of bass during certain months of the year; to provide a penalty therefor, and to repeal all acts or parts of acts inconsistent herewith;"

With the recommendation that the bill pass.

F. R. MING,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 91 (file No. 81), entitled

A bill to prescribe the liability of common carrier railroad companies and persons, co-partnerships, firms, associations and corporations owning or operating railroads, not common carriers, to their employees;

With the following amendments thereto:

1. By striking out all of line 2 of section 1.
2. By striking out of line 3 of section 1 the words "operating any railroad, not a common carrier, in this State."
3. By striking out of line 7 of section 1 the word "person" and inserting in lieu thereof the word "railroad."
4. By striking out of line 8 of section 1 the words "co-partnership, firm, association or corporation" and inserting in lieu thereof the word "company."
5. By striking out of line 9 of section 1 the words "of any officer, agent or employe of them or either of them" and inserting in lieu thereof the words "of any of its officers, agents or employes."
6. By striking out all of line 11 of section 1 and inserting in lieu thereof the words "railroad company in its."
7. By striking out of line 12 of section 1 the word "machine" and inserting in lieu thereof the word "machinery."
8. By striking out all of section 2 and inserting in lieu thereof a new section to stand as section 2 and to read as follows:
Section 2. That in all actions hereafter brought against any such common carrier railroad company under or by virtue of any of the provisions of this act to recover damages for personal injury to an employe, or where such injuries have resulted in his death, the fact that the employe may have been guilty of contributory negligence shall not bar a recovery, but the damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employe. Provided, That no such employe who may be injured or killed shall be held to have been guilty of contributory negligence in any case where the violation by such common carrier of any statute enacted for the safety of employes contributed to the injury of such employe, and such employe shall not be held to have assumed the risk of his employment in any case where the violation by such common carrier of any statute enacted for the safety of employes contributed to the injury or death of such employe.
9. By renumbering section 3 to stand as section 4.

10. By inserting a new section to stand as section 3 and to read as follows:

Section 3. The words "railroad company," as used in this act, shall be taken to embrace any company, association, corporation or person managing, maintaining, operating or in possession of a railroad in whole or in part within this State whether as owner, contractor, lessee, mortgagee, trustee, assignee or receiver.

11. By renumbering section 4 to stand as section 5.

12. By renumbering section 5 to stand as section 6.

13. By striking out in line 2 of section 6 as renumbered after the word "companies" the words "or persons, co-partnerships, firms, associations or corporations owning or operating any railroad not a common carrier."

14. By inserting a new section to stand as section 7 and to read as follows:

Section 7. The provisions of this act shall not apply to employees working in shops or offices;

Recommend that the amendments be concurred in and that when so amended the bill be reprinted for the use of the Senate and made a special order for Wednesday, April 14, at 2:30 o'clock p. m.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Ming moved that the Senate concur in the amendments made to the bill by the committee and in the further recommendation that the bill be ordered reprinted and made a special order for Wednesday, April 14, at 2:30 o'clock p. m.

The motion prevailed, two-thirds of all the Senators present voting therefor.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 57 (file No. 136), entitled

A bill to amend section 7 of Act No. 6 of the Public Acts of 1907, extra session, entitled "An act to define, and to regulate the treatment and control of, dependent, neglected and delinquent children; to prescribe the jurisdiction of the probate courts and the powers, duties and compensation of the probate judges with regard thereto; to provide for the appointment of county agents and probation officers and to prescribe their powers, duties and compensation;"

With the following amendment thereto:

1. By striking out the period and bracket in line 15 of section 7 and inserting the following words "without actually sending the child to said school in case the judge shall find a suitable home for said child in his county, in accordance with the laws and regulations for the management and control of the school;"

Recommend that the amendment be concurred in, and that when so amended, the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged. Mr. Wetmore moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations reports

Senate bill No. 45 (file No. 43), entitled

A bill making an appropriation for the Mackinac Island State Park for various purposes for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same;

With the recommendation that the bill pass.

E. N. BATES,

Acting Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

Senate bill No. 232 (file No. 221), entitled

"A bill to amend section 1 of Act No. 147 of the Public Acts of 1891, entitled 'An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act,' and acts amendatory thereof, being compiler's section 4808 of the Compiled Laws of 1897;"

With the recommendation that the bill pass.

GEO. G. SCOTT,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Asylum for Insane at Newberry:

The Committee on Asylum for Insane at Newberry reports

Senate bill No. 70 (file No. 62), entitled

A bill making appropriations for the Upper Peninsula Hospital for the Insane at Newberry, for the biennial period ending June 30, 1910, for buildings and special purposes, and to provide a tax to meet the same;

With the following amendments thereto:

1. By striking out of lines 2 and 3 of section 1 the words "one hundred and one thousand eight hundred" and inserting in lieu thereof the words "forty-six thousand."

2. By striking out of lines 5, 6 and 7 of section 1 the words "For one cottage forty thousand dollars; for furnishings for one cottage

five thousand dollars; for one cloister connection one thousand three hundred dollars."

3. By striking out of line 10 of section 1 the words "five hundred."

4. By striking out of line 11 of section 1 the last word "six" and inserting in lieu thereof the word "five."

5. By striking out of line 12 of section 1 the word "twelve" and inserting in lieu thereof the word "six."

6. By inserting in line 12 of section 1 after the word "thousand" the words "five hundred."

7. By striking out of lines 12 and 13 of section 1 the words "for one hundred twenty-five feet heating extension, one thousand dollars."

8. By striking out of line 13 of section 1 the word "two" and inserting in lieu thereof the word "one."

9. By making the word "elevators" in line 14 of section 1 read "elevator."

10. By striking out of line 14 of section 1 the word "five" and inserting in lieu thereof the word "two."

11. By inserting in line 14 of section 1 after the word "thousand" the words "five hundred."

12. By striking out of line 6 of section 2 the words "one hundred and one thousand eight hundred" and inserting in lieu thereof the words "forty-six thousand."

13. By striking out of line 2 of section 4 the words "one hundred one thousand eight hundred" and inserting in lieu thereof the words "twenty-seven thousand."

14. By inserting in line 3 of section 4 after the word "dollars" the words "and for the year 1910 the sum of nineteen thousand dollars;"

Recommend that the amendments be concurred in, and that when so amended the bill be referred to the Committee on Finance and Appropriations.

L. W. SNELL,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Snell moved that the Senate concur in the amendments made to the bill by the committee and in the further recommendation that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed and the bill was so referred.

By the Committee on Roads and Bridges:

The Committee on Roads and Bridges report

Senate bill No. 216 (file No. 206), entitled

A bill to revise, consolidate and add to the laws relating to the establishment, opening, improvement, maintenance and use of highways and private roads, and the building, repairing and preservation of bridges within this State;

With the following amendments thereto:

1. By inserting in line 14 of section 5 after the word "concurrence," the words "by resolution."

2. By striking out of line 3 of section 11 after the words "and the" the words "proper officer or officers" and inserting in lieu thereof the words "mayor or president."

3. By striking out of line 4 of section 11 after the word "village" the words "having authority to act in laying out streets therein."

4. By striking out of line 8 of section 11 after the word "the" the words "proper officer or officers" and inserting in lieu thereof the words "mayor or president."

5. By inserting in line 20 of section 11 after each word "township" the words "city or village."

6. By striking out of line 6 of section 12 after the word "townships" the words "or municipalities" and inserting in lieu thereof the words "city or village."

7. By striking out of line 7 of section 12 after the word "township" the words "or municipality" and inserting in lieu thereof the words "city or village."

8. By striking out of lines 9 and 10 of section 12 after the word "township" the words "or municipality" and inserting in lieu thereof the words "city or village."

9. By striking out of line 13 of section 12 after the word "townships" the words "or municipal corporations" and inserting in lieu thereof the words "city or village."

10. By striking out of line 15 of section 12 after the word "townships" the words "or municipal corporations" and inserting in lieu thereof the words "city or village."

11. By striking out of line 1 of section 13 after the word "commissioner" the words "and village or city officers" and inserting in lieu thereof the words "mayor or president of city or village."

12. By inserting in line 6 of section 16 after the word "trees" the word "monuments."

13. By inserting in line 22 of section 27 after the word "notify" the words "in writing."

14. By inserting in line 4 of section 9 of chapter 2 after the word "elected" the following: "The Commissioner and township board of any township in which may be located an unincorporated village, or in the event that such unincorporated village is located in more than one township, the commissioners and township boards of the townships to be affected thereby may create of the territory embraced by such unincorporated village a separate road district, for which road district there shall be elected an overseer in the same manner as other overseers are elected in the township. And in case such unincorporated village is located in more than one township the overseer of each township shall have supervision over that territory embraced in such unincorporated village as may be located in his township."

15. By inserting in line 8 of section 9 of chapter 2 after the word "therein" the following: "The overseer or overseers of any road district comprised of an unincorporated village as in this section provided may, upon the written application of a majority of the taxpayers residing therein, authorize not less than one-fourth and such additional part of the road repair tax assessed therein, and not necessary for the repairs of highways therein, to be expended, by and under the direction of the overseer or overseers of such district in the construction, repairs and improvements of sidewalks within the limits of such unincorporated village; and for such purpose said overseer, or overseers

when such unincorporated village may be located in more than one county, may also from time to time, by writing signed by him or them, and filed with the clerk of such township or townships, authorize such additional proportion of the repair tax of such village as in his or their judgment is not needed for the annual repairs of the highways therein, to be anticipated for one or more years, not exceeding three, and thereupon any person or corporation resident of or owning property within such village, and assessed for highway repair tax in the district in which such village is situated, may in the year so designated in such order anticipate his, her or its assessment for road repair tax for such time as he, she or it may see fit within the limits so prescribed by the overseer of that part of the road district in which such repairs shall be made, and it shall be the duty of such overseer to give to such person or corporation, a certificate signed by him, showing the amount of road repair tax paid by such person or corporation; and in each succeeding year, upon presentation of such certificate, such person or corporation shall be allowed and credited by the overseer of highways of that part of the district in which such repairs or the construction of sidewalks shall have been made, with the payment of the road repair tax so assessed to him, her or it for such year, until such credit shall equal the amount of the road repair tax so stated in said certificate to have been anticipated, and such overseer shall endorse thereon a statement signed by him showing such credit or allowance."

16. By striking out of line 9 of section 9 of chapter 2 the word "commissioner" and inserting in lieu thereof the word "overseer."

17. By inserting in line 10 of section 9 of chapter 2 after the word "board" the words "highway commissioner."

18. By inserting in line 10 of section 10 of chapter 2 after the word "tax" the following: "All highways in any incorporated village which were established and laid out by the township before the incorporation of such village and now in use as a street or highway shall be treated the same as other highways in the township and shall share in said highway improvement fund, and shall be expended under the direction of the highway commissioner and town boards."

19. By inserting in line 8 of section 19 of chapter 4 after the word "bridges" the word "culverts."

20. By adding a new section to chapter 24 to stand as section 11 and to read as follows:

"Section 11. All acts or parts of acts contravening the provisions of this act are hereby repealed;"

Recommend that the amendments be concurred in and that the bill be made a special order for Tuesday, April 13, at 2:30 o'clock p. m.

EDWIN G. FOX,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Fox moved that the Senate concur in the amendments made to the bill by the committee and in the further recommendation that the bill be made a special order for Tuesday, April 13, at 2:30 o'clock p. m.

The motion prevailed, two-thirds of all the Senators present voting therefor.

By the Committee on Supplies and Expenses:

The Committee on Supplies and Expenses reports the following accounts:

Michigan State Telephone Co.	\$20 45
Detroit Legal News Co.	4 00
Remington Typewriter Co.	4 00
F. N. Rounsville	1 00
The Newton-Rotherick Mfg. Co.	13 00
E. V. Chilson, Postage	21 00
F. M. Loftus	1 75
American Laundry	10 06
Lansing Laundry	2 02
Star Laundry	4 34

With the recommendation that the accounts be allowed and orders drawn for the same.

HORACE T. BARNABY,
Chairman.

The report was accepted and adopted and the accounts ordered paid.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 13 (file No. 165), entitled

A bill to amend section 9 of Act No. 198 of the Laws of 1873, entitled "An act to revise the laws providing for the incorporation of the railroad, bridge and tunnel companies and to regulate the running and management and to fix the duties and liabilities of all railroad, bridge, tunnel and other corporation owning or operating any railroad, bridge or tunnel within this State," as amended, said section being compiler's section 6234 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Railroads.

The following message from the House was also received and read:

House of Representatives,
April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 278 (file No. 173), entitled

A bill to amend sections 4, 7, 10, 11, 18 and 21 of an act entitled "An act to regulate the practice of pharmacy in the State of Michigan," same being Act No. 134 of the Public Acts of 1885, approved June 2, 1885, as amended by Act No. 332 of the Public Acts of 1905;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,

April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 299 (file No. 172), entitled

A bill to amend section 2 of Act No. 243 of the Public Acts of 1903, entitled "An act in relation to the manufacture and sale of renovated butter;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,

April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 263 (file No. 170), entitled

A bill to provide a tax to meet the amounts disbursed by the State for the several asylums for the support of patients under the several laws relating thereto;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Finance and Appropriations.

The following message from the House was also received and read:

House of Representatives,
April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 262 (file No. 169), entitled

A bill to provide a tax to meet the amounts disbursed by the State for the current expenses of the Michigan State Prison, the State House of Correction and Branch Prison in the Upper Peninsula, and the Michigan Reformatory;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Finance and Appropriations.

The following message from the House was also received and read:

House of Representatives,
April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 345 (file No. 168), entitled

A bill authorizing the transfer of any moneys credited to the "War Fund" to the general fund in the State treasury;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Finance and Appropriations.

The following message from the House was also received and read:

House of Representatives,
April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 317 (file No. 167), entitled

A bill in relation to the unveiling of the statue of General George A. Custer in the city of Monroe, and making an appropriation therefor;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Military Affairs.

The following message from the House was also received and read:

House of Representatives,
April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 329 (file No. 166), entitled

A bill to amend section 7 of Act No. 171 of the Public Acts of 1903, as amended, entitled "An act for the incorporation of associations not for pecuniary profit;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Religious and Benevolent Societies.

The following message from the House was also received and read:

House of Representatives,
April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 315 (file No. 163), entitled

A bill to amend section 20 of chapter 70 of the Revised Statutes of 1846, entitled "Of the administration and distribution of the estates of intestates," being section 9340 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 302 (file No. 161), entitled

A bill to amend section 3 of chapter 6 of Act No. 254 of the Public Acts of 1897, entitled "An act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto," approved June 2, 1897, being compiler's section 4356 of the Compiled Laws of 1897, to authorize the issuance of county drainage bonds;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Roads and Bridges.

The following message from the House was also received and read:

House of Representatives,
April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 247 (file No. 160), entitled

A bill to provide for the construction and maintenance of dams in drains and the better maintenance of drainage work by embanking, pumping or other mechanical operation, and the assessment and collections of taxes therefor;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Roads and Bridges.

The following message from the House was also received and read:

House of Representatives,
April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 236 (file No. 158), entitled

A bill to amend section 4 of Act No. 200 of the Public Acts of 1905, entitled "An act to provide for the compulsory education of children, for penalties for failure to comply with the provisions of this act, and to repeal all acts or parts of acts conflicting with the provisions of the same;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

INTRODUCTION OF BILLS.

Mr. Mapes introduced

Senate bill No. 250, entitled

A bill to authorize cities to grant public utility franchises and to provide for the submission of such grants to the electors for confirmation.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Cities and Villages.

Mr. Mapes introduced

Senate bill No. 251, entitled

A bill to authorize villages to grant public utility franchises and to provide for the submission of such grants to the electors for confirmation.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Cities and Villages.

Mr. Mapes introduced

Senate bill No. 252, entitled

A bill to authorize townships to grant public utility franchises and to provide for the submission of such grants to the electors for confirmation.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Counties and Townships.

Mr. Mapes introduced

Senate bill No. 253, entitled

A bill to authorize township boards to grant the right to use the highways, streets, alleys and other public places of any township for poles, wires, pipes or conduits or tracks for railways and to operate and maintain the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Counties and Townships.

Mr. Anhut introduced

Senate bill No. 254, entitled

A bill in relation to dry measures and providing penalties for the violation of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Tuttle introduced

Senate bill No. 255, entitled

A bill to provide for the sale of school text books and regulating the manner of procuring the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Shields introduced

Senate bill No. 256, entitled

A bill to promote the safety of travelers on railroads by compelling common carriers engaged in commerce within this State to strengthen the construction of day or passenger coaches, mail cars, chair, smoking, and combination cars.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Railroads.

Mr. Shields introduced

Senate bill No. 257, entitled

A bill to repeal section 9 and to amend sections 3 and 12 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," being compiler's sections 4816, 4810 and 4819 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Wetmore introduced

Senate bill No. 258, entitled

A bill to amend section 11 of chapter 150 of the Revised Statutes of 1846, relative to fees of sheriffs in executing process issued out of the courts of law and equity, and by judicial and other officers, and

for other services, as amended by the several acts amendatory thereof, being compiler's section 11222 of the Compiled Laws of 1897, as amended.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Wetmore introduced

Senate bill No. 259, entitled

A bill authorizing the appointment of certain officers for the Supreme Court.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Scott introduced

Senate bill No. 260, entitled

A bill to amend section 10 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," as amended by section 10 of Act No. 148 of the Public Acts of 1905.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Watkins introduced

Senate bill No. 261, entitled

A bill for the protection of Virginia partridge, commonly called quail, and pinnated grouse, commonly called prairie chicken, within the State of Michigan.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Gaming Interests.

Messrs. Dickinson, MacKay, Mapes, Newton, Shields, Tuttle, Weter, Wetmore and White asked and obtained leaves of absence for themselves from tomorrow's session.

Mr. Taylor asked and obtained leave of absence for himself after 3 o'clock today and from tomorrow's session.

Mr. Kingman asked and obtained leave of absence for himself after 3 o'clock today and from the sessions of tomorrow and Monday.

Messrs. Scott, Snell, Watkins and Whitney asked and obtained leaves of absence for themselves from the sessions of tomorrow and Monday.

Mr. Dickinson moved that the Senate resolve itself into a committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Mapes to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 173 (file No. 157), entitled

A bill to repeal an act, entitled "An act to incorporate mutual benefit societies, membership in which is confined to a single city, village or township," except as to existing corporations, the same being Act No. 196 of the Public Acts of 1891;

Also:

Senate bill No. 172 (file No. 156), entitled

A bill to repeal an act, entitled "An act to provide for the incorporation of mutual provident associations, of miners, trammers, timbermen, landers, engineers, blacksmiths, carpenters and all other laborers in and about the iron, gold, silver, lead, copper and coal mines," the same being Act No. 104, Public Acts of 1891;

Also:

Senate bill No. 174 (file No. 158), entitled

A bill to repeal Act No. 275 of the Public Acts of 1889, entitled "An act to provide for the incorporation of mutual provident associations of commercial travelers, agents, managers, salesmen, secretaries, cashiers, tellers, bookkeepers, stenographers, correspondents, typewriters, and persons engaged in other clerical work," except as to existing corporations;

Also:

House bill No. 269 (file No. 108), entitled

A bill to amend section 1 of Act No. 259 of the Public Acts of 1907, entitled "An act relating to the salaries of officers and agents of life insurance companies;"

Also:

Senate bill No. 175 (file No. 159), entitled

A bill to repeal an act, entitled "An act to provide for the incorporation of companies or associations having for their objects the insurance of bicycles and to define their powers and duties," the same being Act No. 157 of the Public Acts of 1897;

Also:

Senate bill No. 218 (file No. 204), entitled

A bill to regulate the filing of annual statements by insurance companies doing business in this State and the issuance of certificates of authority thereto by the Commissioner of Insurance;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

House bill No. 34 (file No. 135), entitled

A bill to amend sections 5 and 9 of Act No. 143 of the Public Acts of 1903, entitled "An act to provide for the government, management and control of the State Public School at Coldwater, and to repeal all acts or parts of acts inconsistent with this act," as amended by Act No. 301 of the Public Acts of 1907; and to add a new section to said Act No. 143;

Has made one amendment thereto, and has directed its chairman to report the same back to the Senate, asking that the amendment be concurred in, and recommend that, as amended, the bill pass.

CARL E. MAPES,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first six bills named in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendment made to the seventh named bill in the report and the bill was placed on the order of third reading of bills.

The President pro tem. took the chair.

By unanimous consent the Senate returned to the order of

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
April 7, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House Resolution No. 86.

Whereas, At past sessions of the Legislature, information touching the finances of the State, its income, expenditures, the amounts on hand in various funds, the amounts asked for ensuing years by the

several State institutions and for the several State departments and related matters has not been readily and conveniently accessible to the several members of the Senate and House of Representatives; and

Whereas, By reason of such want of information embarrassment has been caused in the past; therefore

Resolved by the House (the Senate concurring), That the Auditor General be and is hereby requested to tabulate, print and furnish to the members of the Senate and House of Representatives at as early a date as possible the following information:

1. Itemized statements of the sums asked for the ensuing two years by each State institution for which an appropriation was made at the session of 1907, such statements to be in detail, to show specifically what each item asked is to be used for and to be accompanied by the corresponding item of the appropriation of 1907 and by a statement of the sum left unexpended from such appropriation, if any.

2. A similar itemized and detailed statement with reference to the sums asked by or for each State department, and with reference to each other appropriation which will be asked from the State at the session of 1909 so far as it is possible to give the same; and be it further

Resolved, That the Auditor General be requested to tabulate such information so that the names of the several departments and institutions shall appear in alphabetical order; the appropriations made in 1907, and the balance thereof left unexpended shall appear in a separate column; the amounts asked at the session of 1909 shall appear in a column by themselves; and so that blank columns shall be left to permit the insertion of the amounts recommended by the committees and allowed by the House and Senate;

Which has been adopted by the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution, The resolution was adopted.

The following message from the House was also received and read:

House of Representatives,
April 8, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit to the Senate the following concurrent resolution:

House resolution No. 92.

Resolved by the House (the Senate concurring), That the present session of the Legislature of the State of Michigan suspend business on Thursday, the 6th day of May, at 12 o'clock noon, and that final adjournment be had on Saturday, May 15th, at 12 o'clock noon;

Which has been adopted by the House, and in which the concurrence the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the adoption of the resolution, Mr. Wetmore moved that the resolution be referred to the Committee on Rules and Joint Rules.

The motion prevailed.

THIRD READING OF BILLS.

Senate bill No. 173 (file No. 157), entitled

A bill to repeal an act, entitled "An act to incorporate mutual benefit societies, membership in which is confined to a single city, village or township," except as to existing corporations, the same being Act No. 196 of the Public Acts of 1891;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Ward
Anhut	Fairbanks	Moriarty	Watkins
Barnaby	Foster	Newton	Weter
Bates	Fowle	Shields	Wetmore
Bolt	Fox	Smith	White
Bradley	Kingman	Snell	Whitney
Collins	Krueger	Tuttle	President protem
			28

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 172 (file No. 156), entitled

A bill to repeal an act, entitled "An act to provide for the incorporation of mutual provident associations of miners, trammers, timbermen, landers, engineers, blacksmiths, carpenters and all other laborers in and about the iron, gold, silver, lead, copper and coal mines," the same being Act No. 104, Public Acts of 1891;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Moriarty	Mr. Watkins
Anhut	Foster	Newton	Weter
Barnaby	Fowle	Shields	Wetmore
Bates	Fox	Smith	White
Bradley	Kingman	Snell	Whitney
Collins	Krueger	Tuttle	President protem
Dickinson	Mapes	Ward	27

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 174 (file No. 158), entitled

A bill to repeal Act No. 275 of the Public Acts of 1889, entitled "An act to provide for the incorporation of mutual provident associations of commercial travelers, agents, managers, salesmen, secretaries, cashiers, tellers, bookkeepers, stenographers, correspondents, typewriters, and persons engaged in other clerical work," except as to existing corporations;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Ward
Anhut	Fairbanks	Moriarty	Watkins
Barnaby	Foster	Newton	Weter
Bates	Fowle	Shields	Wetmore
Bolt	Fox	Smith	White
Bradley	Kingman	Snell	Whitney
Collins	Krueger	Tuttle	President protem
			28

NAYS.

0

The title of the bill was agreed to.

House bill No. 269 (file No. 108), entitled

A bill to amend section 1 of Act No. 259 of the Public Acts of 1907, entitled "An act relating to the salaries of officers and agents of life insurance companies;"

Was read a third time and passed, a majority of all the Senators-elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Moriarty	Mr. Watkins
Anhut	Foster	Newton	Weter
Barnaby	Fowle	Shields	Wetmore

Mr. Bates	Mr. Fox	Mr. Smith	Mr. White
Bolt	Kingman	Snell	Whitney
Bradley	Krueger	Tuttle	President protem
Collins	Mapes	Ward	27

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 175 (file No. 159), entitled

A bill to repeal an act, entitled "An act to provide for the incorporation of companies or associations having for their objects the insurance of bicycles and to define their powers and duties," the same being Act No. 157 of the Public Acts of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Ward
Anhut	Fairbanks	Moriarty	Watkins
Barnaby	Foster	Newton	Weter
Bates	Fowle	Shields	Wetmore
Bolt	Fox	Smith	White
Bradley	Kingman	Snell	Whitney
Collins	Krueger	Tuttle	President protem
			28

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 218 (file No. 204), entitled

A bill to regulate the filing of annual statements by insurance companies doing business in this State and the issuance of certificates of authority thereto by the Commissioner of Insurance;

Was read a third time and passed, a majority of all the Senators-elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Ward
Anhut	Fairbanks	Moriarty	Watkins
Barnaby	Foster	Newton	Weter
Bates	Fowle	Shields	Wetmore
Bolt	Fox	Smith	White
Bradley	Kingman	Snell	Whitney
Collins	Krueger	Tuttle	President protem
			28

NAYS.

0

The title of the bill was agreed to.

House bill No. 34 (file No. 135), entitled

A bill to amend sections 5 and 9 of Act No. 143 of the Public Acts of 1903, entitled "An act to provide for the government, management and control of the State Public School at Coldwater, and to repeal all acts or parts of acts inconsistent with this act," as amended by Act No. 301 of the Public Acts of 1907; and to add a new section to said Act No. 143;

Was read a third time and, pending the taking of the vote on the passage thereof,

Mr. Moriarty moved to amend the bill by striking out entire section 9. The question being on receiving the amendment,

Mr. Moriarty demanded the yeas and nays.

The amendment then was not received, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Bolt	Mr. Fox	Mr. Smith	Mr. Wetmore	
Collins	MacKay	Weter	Whitney	
Fairbanks	Moriarty			10

NAYS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Ward	
Anhut	Foster	Shields	Watkins	
Barnaby	Fowle	Snell	White	
Bates	Kingman	Tuttle	President protem	
Bradley	Krueger			18

The question then being on the passage of the bill,

The bill was then passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Watkins	
Anhut	Foster	Shields	Weter	
Barnaby	Fowle	Snell	Wetmore	
Bates	Kingman	Tuttle	White	
Bradley	Krueger	Ward	President protem	
Dickinson	MacKay			22

NAYS.

Mr. Bolt	Mr. Fox	Mr. Newton	Mr. Whitney	
Collins	Moriarty			
				6

The title of the bill was agreed to.

By unanimous consent the Senate returned to the order of

MOTIONS AND RESOLUTIONS.

Mr. Weter moved that when the Senate adjourns today, it stand adjourned until tomorrow at 9 o'clock a. m.

The motion prevailed.

Mr. Weter moved that when the Senate adjourns tomorrow it stand adjourned until Monday, April 12, at 9 o'clock p. m.

The motion prevailed.

Mr. White moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President pro tem. called Mr. Mapes to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee has had under consideration the following:

House bill No. 282 (file No. 150), entitled

A bill to prohibit the taking, catching or killing of certain species of bass during certain months of the year; to provide a penalty therefor, and to repeal all acts or parts of acts inconsistent herewith;

Also:

Senate bill No. 45 (file No. 43), entitled

A bill making an appropriation for the Mackinac Island State Park for various purposes for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same;

Also:

House bill No. 132 (file No. 118), entitled

A bill to amend section 1 of Act 154 of the Public Acts of 1893, entitled "An act to provide for the extension of the term of existence of corporations or associations organized under Act No. 87 of Acts of the Legislature of the State of Michigan of 1855, approved February 12, 1855, entitled 'An act relating to burying grounds,' or under said act as amended, the corporate term of existence of which has heretofore expired, or may hereafter expire by limitation, and to fix the duties and liabilities of such renewed corporations or associations," being section 8398 of the Compiled Laws of 1897, and to add another section to said Act 154;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

House bill No. 148 (file No. 105), entitled

A bill to require a stamp or label on every ball of binder twine sold, exposed or offered for sale within this State, and providing a penalty for the violation thereof;

Has made one amendment thereto, and has directed its chairman to report the same back to the Senate, asking that the amendment be concurred in, and recommend that, as amended, the bill pass.

CARL E. MAPES,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first, second and third named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendment made to the fourth named bill in the report and the bill was placed on the order of third reading of bills.

Mr. Foster moved that the Senate adjourn.

The motion prevailed, the time being 4:45 o'clock p. m.

The President pro tem. declared the Senate adjourned until tomorrow at 9 o'clock a. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FIFTY-SIXTH DAY.

Lansing, Friday, April 9.

9 o'clock a. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Barnaby, Bates, Bradley, Collins, Foster, Fowle, Fox, Krueger, Newton, Smith, Tuttle—12.

The following Senators were absent with leave: Messrs. Anhut, Bolt, Dickinson, Fairbanks, Kingman, Kline, MacKay, Mapes, Ming, Moriarty, Scott, Shields, Snell, Taylor, Ward, Watkins, Weter, Wetmore, Whitney—19.

The following Senator was absent without leave. Mr. White—1.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the President declared the Senate adjourned until Monday, April 12, at 9 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FIFTY-SEVENTH DAY.

Lansing, Monday, April 12.

9 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Bates, Bolt, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Krueger, MacKay, Ming, Moriarty, Scott, Shields, Smith, Taylor, Tuttle, Wetmore—20.

The following Senators were absent with leave: Messrs. Kingman, Kline, Snell, Watkins, Whitney—5.

The following Senators were absent without leave: Messrs. Barnaby, Bradley, Mapes, Newton, Ward, Weter, White—7.

Mr. MacKay moved that leaves of absence be granted to the absentees from today's session.

The motion prevailed.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that

Reprint of Senate bill No. 91 (file No. 81);

Reprint of Senate bill No. 95 (file No. 85);

Senate bill No. 239 (file No. 228);

Senate bill No. 240 (file No. 229);

Senate bill No. 241 (file No. 230);

Senate bill No. 242 (file No. 231);

Senate bill No. 243 (file No. 232);

Senate bill No. 244 (file No. 233);

Senate bill No. 245 (file No. 234);

Senate bill No. 246 (file No. 235);

Senate bill No. 247 (file No. 236);

Senate bill No. 248 (file No. 237);

Senate bill No. 249 (file No. 238);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

PRESENTATION OF PETITIONS.

No. 633. By Mr. Bates: Petition of George Hammond and 58 other members of East Casco Grange No. 338, of Allegan county, in favor of the passage of the Baker bill requiring telephone companies to interchange service.

The petition was referred to the Committee on State Affairs.

No. 634. By Mr. Aitkin: Petition of William Lentz and 8 other members of Applegate Grange No. 1003, of Sanilac county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 635. By Mr. Wetmore: Petition of Charles Harris and 9 other members of Maple Row Grange No. 1013, of Wexford county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 636. By Mr. Fairbanks: Petition of James Anderson and 59 other members of Victory Grange No. 1099, of Mason county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 637. By Mr. Wetmore: Petition of Robert Runchey and 9 other members of Maple Row Grange No. 1013, of Wexford county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 638. By Mr. Wetmore: Petition of Frederic L. Church and 12 other members of Eastport Grange No. 470, of Antrim county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 639. By Mr. Fairbanks: Petition of James Anderson and 60 other members of Victory Grange No. 1099, of Mason county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 640. By Mr. Dickinson: Protest of G. E. Edmunds and 71 other members of Camp No. 5879, M. W. of A., of Maple Rapids, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 641. By Mr. Ming: Petition of Clarence Houghton and 29 other members of Thunder Bay Lodge, B. of R. T., of Alpena, in favor of the passage of the Ming employer's liability bill.

The petition was referred to the Committee on Judiciary.

No. 642. By Mr. Anhut: Petition of R. M. Branton and 28 other citizens of Detroit on the same subject.

The petition was referred to the Committee on Judiciary.

No. 643. By Mr. Anhut: Petition of F. L. Hunt and 21 other citizens of Detroit on the same subject.

The petition was referred to the Committee on Judiciary.

No. 644. By Mr. Anhut: Petition of M. E. VanSickle and 41 other citizens of Detroit on the same subject.

The petition was referred to the Committee on Judiciary.

No. 645. By Mr. Collins: Protest of Edward Keys and 14 other citizens of Saginaw against the passage of the Collins labor bill.

The protest was referred to the Committee on Labor Interests.

No. 646. By Mr. Taylor: Protest of Robert Kenyon and 26 other citizens of Kalamazoo on the same subject.

The protest was referred to the Committee on Labor Interests.

No. 647. By Mr. Taylor: Protest of L. P. Strong and 93 other citizens of Vicksburg, Schoolcraft and Otsego against the repeal of the proviso of section 1 of Act No. 333, of the Public Acts of 1907 relative to discharging waste from paper mills into streams.

The protest was referred to the Committee on Public Health.

No. 648. By Mr. Aitkin: Protest of Edward E. Webber and 39 other citizens of Marlette against the passage of the Huntley pharmacy bill.

The protest was referred to the Committee on Public Health.

No. 649. By Mr. Aitkin: Protest of John W. Weed and 49 other citizens of Brown City on the same subject.

The protest was referred to the Committee on Public Health.

MOTIONS AND RESOLUTIONS.

Mr. Krueger offered the following resolution:

Senate resolution No. 86.

Resolved, That the President of the Senate be and he is hereby authorized to appoint August Boike as Clerk of Group 8 of the Senate Committees to succeed William Wobbrock.

The resolution was adopted.

Pursuant to the above resolution, the President announced the appointment of August Boike as Clerk of Group 8 of the Senate Committees.

REPORTS OF STANDING COMMITTEES.

By the Committee on Claims and Public Accounts:

The Committee on Claims and Public Accounts reports

House bill No. 280 (file No. 132), entitled

A bill to amend section 2 of Act No. 148 of the Public Acts of 1873, entitled "An act relating to the accounting for money received and expended by certain officers," being section 1206 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

ARTHUR J. TUTTLE,
Acting Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
April 9, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 347 (file No. 164), entitled

A bill to amend section 1 of Act No. 91 of the Session Laws of 1839, entitled "An act to provide for the recording of town plats, and for vacating the same in certain cases," being section 3372 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Cities and Villages.

The following message from the House was also received and read:

House of Representatives,
April 9, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 341 (file No. 171), entitled

A bill to provide for securing and transporting unclaimed dead human bodies to be used for dissection in the advancement of science;

And to inform the Senate that the bill has passed the House.
In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on University.

The following message from the House was also received and read:

House of Representatives,
April 8, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 180 (file No. 174), entitled

A bill to provide for the examination, regulation, licensing and registration of nurses and for the punishment of offenders against this act;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,
April 8, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to re-transmit to the Senate the following bill:

House bill No. 232 (file No. 99), entitled

A bill to amend section 1 of chapter 5 of Act No. 254 of the Public Acts of 1897, entitled "An act to provide for the construction and maintenance of drains and the assessment and collection of taxes therefor and to repeal all other laws relative thereto," the same being compiler's section 4344 of the Compiled Laws of 1897, having been last amended by Act 272 of the Public Acts of 1899;

Which the Senate amended as follows:

1. By inserting in line 3 of section 1 after the word "traversed" the words "or benefited."

2. By striking out of line 6 of section 1 the words "or townships."

3. By inserting in line 8 of section 1, after the word "drain" the words "unless the township highway commissioner shall, before such apportionment is made, certify in writing to such drain commissioner

that as a means of improving any highway within the township, it is necessary that more than twenty-five per cent, of the entire cost be assessed to such township, in which case the county drain commissioner shall determine the percentage of the entire cost to be assessed to such township;"

In the adoption of which amendments the House refused to concur;

And now to inform the Senate that the House has reconsidered its action and has concurred in the adoption of the first and third named amendments but that in the adoption of the second named amendment the House has refused to concur.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

Mr. Shields moved that the Senate recede from the second named amendment made to the bill by the Senate.

The motion prevailed, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Krueger	Mr. Shields
Anhut	Fairbanks	MacKay	Smith
Bates	Foster	Ming	Taylor
Bolt	Fowle	Moriarty	Tuttle
Collins	Fox	Sectt	Wetmore

20

NAYS.

0

The following message from the House was also received and read:

House of Representatives,
April 8, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to re-return to the Senate the following bill:

Senate bill No. 82 (file No. 73), entitled

A bill to amend Act No. 32 of the Public Acts of 1905, entitled "An act to amend the title and section 1 of Act No. 91 of the Public Acts of 1903, entitled 'An act to authorize the several courts of the State having jurisdiction in criminal cases, to hold or place persons convicted of a crime or misdemeanor on probation, under the care of probation officers provided in this act;'"

And to inform the Senate that the House has amended the same as follows:

1. By striking out of line 2 of section 1 the words "crime or misdemeanor" and inserting in lieu thereof the words "crime, misdemeanor or felony other than simple larceny."

2. By inserting in line 15 of section 2 after the word "officer" the words "or some other suitable person."

3. By striking out of line 1 of the enacting section the words "The title and."

4. By striking out of line 6 of the enacting section the words "are hereby amended to read as follows" and inserting the word "entitled."

5. By inserting in line 12 of the enacting section after the word "reformation" the words "is hereby amended to read as follows."

6. By striking out of line 1 of section 2 the figure "2" and inserting in lieu thereof the figure "1;"

And that in the passage of the bill, as thus amended, the House has concurred.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The question being on concurring in the amendments made to the bill by the House,

Mr. Aitkin moved, that the Senate concur.

The motion prevailed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Anhut
Bates
Bolt
Collins

Mr. Dickinson
Fairbanks
Foster
Fowle
Fox

Mr. Krueger
MacKay
Ming
Moriarty
Scott

Mr. Shields
Smith
Taylor
Tuttle
Wetmore

20

NAYS.

0

The bill was referred to the Secretary for printing and presentation to the Governor.

INTRODUCTION OF BILLS.

Mr. Foster introduced

Senate bill No. 262, entitled

A bill to amend section 2 of Act No. 299 of the Public Acts of 1907, entitled "An act authorizing the withdrawal from sale of the Agricultural College lands in the counties of Iosco and Alcona, such lands to be held as a forest reserve for the benefit of the same college; and defining the permanent use thereof."

The bill was read a first and second time by its title and referred to the Committee on Forestry and State Lands.

Mr. Tuttle, for Mr. Watkins, introduced

Senate bill No. 263, entitled

A bill to revise the laws relating to the State Agricultural College, to prescribe the powers and duties of the State Board of Agriculture and to repeal all acts and parts of acts inconsistent with the provisions of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Agricultural College.

Mr. Aitkin introduced
Senate bill No. 264, entitled

A bill to regulate the practice on appeal in chancery and to repeal Act No. 340 of the Public Acts of 1907 and all other acts contravening the provisions of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Anhut moved that the Senate adjourn.

The motion prevailed, the time being 9:25 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FIFTY-EIGHTH DAY.

Lansing, Tuesday, April 13.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. L. I. Brancheau, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Watkins, Weter, Wetmore, White, Whitney—30.

The following Senator was absent with leave: Mr. Kline—1.

The following Senator was absent without leave: Mr. Ward—1.

Mr. Taylor moved that leave of absence be granted to the absentee from today's session.

The motion prevailed.

COMMUNICATIONS FROM STATE OFFICERS.

Office of the Commissioner of the State Land Office.

Lansing, April 12, 1909.

To the President of the Senate:

Sir:—In compliance with Senate Resolution No. 76, passed March 22nd, asking for certain information in regard to State tax homestead lands, I beg leave to submit the following compilation:

Realizing that the value of a report of this kind depends upon its completeness and accuracy, no effort has been spared to place before the Senate a full and detailed statement of every class of land on the books of the State Land Office at the present time. Every record in this department has been carefully examined and the conditions fully set forth, in order that the information may be as complete as it is possible to make it.

Pending the reading of the report, by unanimous consent

Mr. Foster offered the following resolution:

Senate resolution No. 87.

Whereas, The Commissioner of the State Land Office, under resolution of the Senate, has prepared reports involving much labor and fur-

nishing valuable information, including a statement from the records of his office of the total amount of delinquent tax lands that have been deeded to the State by the Auditor General under the provisions of section 127 of the general tax laws; the number of acres of such lands entered by actual settlers as homesteads; the number of acres deeded to such homesteaders upon the filing of final proof by such homesteaders; the number of acres now standing on the books of his office as held by such homesteaders; the total number of acres of such land sold under the provisions of Act No. 141 of the Public Acts of 1901; and the total amount of money received as purchase price for such lands; the total amount of money received from the sale of city and village lots; and the approximate total expense of the State Land Office since the sale of such delinquent tax lands was begun by that office under existing laws; the present average appraised value of the different lands now held in his department, and the number of acres to which the average applies in each specified class; and other valuable information in regard to the disposition of this class of land; and

Whereas, The matters involved are of great interest throughout the State; therefore be it

Resolved, That the report submitted by the Commissioner of the State Land Office, together with the report of the Auditor General submitted to the Senate on March 31, be printed, separate and apart from the Senate Journal, and that copies thereof be mailed by the Secretary, with this resolution attached, to the newspapers of the State, the county officials, and the members of Boards of Supervisors, the necessary postage for the mailing of said report to be drawn and paid for as is postage for the mailing of the Journals of the Senate and House of Representatives; also that 1500 copies be printed for the use of the members of the Legislature, and the State Land Office.

Mr. Foster moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that
Senate bill No. 250 (file No. 239);
Senate bill No. 251 (file No. 240);
Senate bill No. 252 (file No. 241);
Senate bill No. 253 (file No. 242);
Senate bill No. 254 (file No. 243);
Senate bill No. 255 (file No. 244);
Senate bill No. 256 (file No. 245);
Senate bill No. 257 (file No. 246);
Senate bill No. 258 (file No. 247);

Senate bill No. 259 (file No. 248);

Senate bill No. 260 (file No. 249);

Senate bill No. 261 (file No. 250);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

The Secretary announced that the following bills had been printed and that they were presented to the Governor for approval April 13:

Senate bill No. 65 (file No. 60, enrolled No. 16);

Senate bill No. 99 (file No. 89, enrolled No. 17);

Senate bill No. 151 (file No. 137, enrolled No. 18).

PRESENTATION OF PETITIONS.

No. 650. By Mr. Bates: Petition of Allen Chaney and 57 other members of Hamilton Grange No. 355, of Van Buren county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 651. By Mr. Watkins: Petition of A. B. Combs and 28 other members of Wheatland Grange No. 273, of Hillsdale county, on the same subject.

The petition was referred to the Committee on Taxation.

No. 652. By Mr. Scott: Petition of Frank W. Walde and 14 other members of the Detroit Federation of Labor in favor of the passage of the Ming employer's liability bill.

The petition was referred to the Committee on Judiciary.

No. 653. By Mr. Anhut: Petition of W. Kirknam and 10 other members of the Detroit Federation of Labor on the same subject.

The petition was referred to the Committee on Judiciary.

No. 654. By Mr. Wetmore: Protest of Charles Ehle and 14 other citizens of Missaukee county against the passage of the Curtiss bill to license vendors of medicine.

The protest was referred to the Committee on Judiciary.

No. 655. By Mr. Ming: Protest of E. L. Ford and 36 other citizens of Gaylord against the passage of the Huntley pharmacy bill.

The protest was referred to the Committee on Public Health.

No. 656. By Mr. Dickinson: Protest of C. H. Brown and 8 other citizens of Nashville on the same subject.

The protest was referred to the Committee on Public Health.

No. 657. By Mr. Whitney: Protest of A. J. Blizzard and 17 other citizens of Saginaw against the passage of the Collins labor bill.

The protest was referred to the Committee on Labor Interests.

No. 658. By Mr. Kingman: Protest of W. H. Barrett and 44 other members of Camp No. 8589, M. W. of A., of Union City, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 659. By Mr. Wetmore: Protest of Etta L. Woodhams and 20 other members of Martha Camp No. 5281, Royal Neighbors, of Man-celona, on the same subject.

The protest was referred to the Committee on Insurance.

No. 660. By Mr. Wetmore: Resolutions of Camp No. 5334, M. W. of A., of Bellaire, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 661. By Mr. Wetmore: Resolutions of James A. Sexton Post No. 454, G. A. R., of Traverse City, in favor of the passage of the Chandler bill exempting property of civil war veterans from taxation.

The resolutions were referred to the Committee on Military Affairs.

No. 662. By Mr. Wetmore: Resolutions of Hannah Camp No. 23, United Spanish War Veterans, of Traverse City, on the same subject.

The resolutions were referred to the Committee on Military Affairs.

No. 663. By Mr. Wetmore: Resolutions of McPherson Post No. 18, G. A. R., of Traverse City, on the same subject.

The resolutions were referred to the Committee on Military Affairs.

MOTIONS AND RESOLUTIONS.

Mr. Bates moved that a respectful message be sent to the House, asking the return to the Senate of House Concurrent Resolution No. 86, requesting the Auditor General to furnish information to the Legislature relative to his Department.

The motion prevailed.

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 186 (file No. 170), entitled

A bill to prevent deception and fraud in the sale of paints, linseed oil and spirits of turpentine;

With the recommendation that the bill be referred to the Committee on State Affairs.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the recommendation of the committee that the bill be referred to the Committee on State Affairs.

The motion prevailed.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 219 (file No. 87), entitled

A bill permitting a person to appeal from the decision of the board of supervisors or county board of auditors, where said person conceives himself aggrieved to the circuit court of the county where the same was disallowed and to provide for the manner of appeal, the bond to be furnished and the time when said appeal shall be taken;

With the accompanying substitute therefor, having the following title:

A bill relative to the adjustment and payment of claims against counties and to provide for appeals from the disallowance thereof;

Recommend that the substitute be concurred in, and that the bill as substituted pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the adoption of the substitute reported by the committee.

The motion prevailed.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 230 (file No. 219), entitled

A bill establishing a lien for labor and services upon the property of any corporation organized for the purpose of mining coal, shale or clay;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 30 (file No. 27), entitled

A bill in relation to the payment of deposits of money in banks and trust companies by minors, trust deposits, and deposits in the names of more than one person;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 219 (file No. 207), entitled

A bill to amend section 20 of Act No. 113 of the Public Acts of 1877, entitled "An act to revise the laws providing for the incorporation of companies for mining, smelting, and manufacturing iron, copper, silver, mineral coal, and other ores or minerals, and to fix the duties and liabilities of such corporations," being compiler's section 7010 of the Compiled Laws of 1897, relating to the increase, or diminution of the capital stock of such companies;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 229 (file No. 88), entitled

A bill fixing the salary of circuit judges;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Northern Michigan Asylum:

The Committee on Northern Michigan Asylum reports

Senate bill No. 12 (file No. 11), entitled

A bill making appropriations for the Northern Michigan Asylum for the Insane for building and special purposes, for the biennial period ending June 30, 1911, and to provide a tax therefor;

With the following amendments thereto:

1. By striking out of line 1. of section 1 the words "one hundred five thousand six hundred ninety-five" and inserting in lieu thereof the words "eighty-seven thousand eight hundred forty-five."

2. By striking out of line 7 of section 1 the words "for extension to cottage thirty-four, five hundred dollars."

3. By striking out of line 8 of section 1 the words "for carriage barn, five thousand dollars; for fencing, three thousand dollars; for artesian wells, one thousand dollars."

4. By striking out of line 11 of section 1 the words "two thousand eight hundred" and inserting in lieu thereof the words "two thousand."

5. By striking out of line 13 of section 1 the words "and paving of Asylum Avenue, seven thousand five hundred fifty dollars."

6. By striking out of line 8 of section 2 the words "one hundred five thousand six hundred ninety-five" and inserting in lieu thereof the words "eighty-seven thousand eight hundred forty-five."

7. By striking out of line 2 of section 4 the words "one hundred five thousand six hundred ninety-five" and inserting in lieu thereof the words "eighty-seven thousand eight hundred forty-five;"

Recommend that the amendments be concurred in, and that when so amended the bill be referred to the Committee on Finance and Appropriations.

EDWIN G. FOX,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Fox moved that the Senate concur in the amendments made to the bill by the committee and in the further recommendation that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed.

The bill was then referred to the Committee on Finance and Appropriations.

By the Committee on Agricultural Interests:

The Committee on Agricultural Interests reports
Senate bill No. 124 (file No. 110), entitled

A bill to amend section 6 of Act No. 80 of the Session Laws of 1855, entitled "An act to authorize the formation of county and town agricultural societies," the same being section 5958 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

L. W. SNELL,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

INTRODUCTION OF BILLS.

Mr. Wetmore introduced

Senate bill No. 265, entitled

A bill to amend section 86 of chapter 102 of the Revised Statutes of 1846, entitled "Of evidence," being compiler's section 10181 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Ming introduced

Senate bill No. 266, entitled

A bill to amend section 2 of Act No. 130 of the Public Acts of 1907, entitled "An act to provide for refunding to purchasers the price paid to the State on sale of land by the Commissioner of the State Land Office under section 131 of Act No. 206 of the Public Acts of 1893, as amended by Act No. 141 of the Public Acts of 1901, in cases where the land sold did not belong to the class of lands liable to sale there-

under; for cancelling the conveyance of such lands to the State and restoring the tax liens thereon in favor of the State which were erroneously cancelled.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Forestry and State Lands.

Mr. Tuttle introduced

Senate bill No. 267, entitled

A bill to provide one additional judge in the judicial circuit in which the county of Ingham is, or may be situated, being now the thirtieth judicial circuit.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. MacKay introduced

Senate bill No. 268, entitled

A bill to amend section 1 of chapter 121 of the Revised Statutes of 1846, entitled "Of proceedings as for contempts to enforce civil remedies and protect the rights of parties in civil actions," being compiler's section 10891 of the Compiled Laws of 1897, as amended by Act No. 230 of the Public Acts of 1899.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

By unanimous consent the Senate returned to the order of

MOTIONS AND RESOLUTIONS.

Mr. Moriarty moved to take from the table

House bill No. 106 (file No. 48), entitled

A bill to amend section 9 of Act No. 134 of the Public Acts of 1885, entitled "An act to regulate the practice of pharmacy in the State of Michigan," as amended by Act No. 279 of the Public Acts of 1907.

The motion prevailed.

Mr. Moriarty moved that the above entitled bill be placed at the head of the order of Third Reading of Bills.

The motion prevailed, two-thirds of all the Senators present voting therefor.

Mr. Ming moved that the Senate take up the order of Third Reading of Bills.

The motion did not prevail, two-thirds of all the Senators present not voting therefor.

Mr. Wetmore asked unanimous consent to take up the special order fixed for 2:30 o'clock p. m., the time being 2:25 o'clock p. m.

Objection was raised.

Mr. Moriarty moved that the Senate take a recess until 2:30 o'clock p. m., the time being 2:26 o'clock p. m.

The motion did not prevail.

SPECIAL ORDER.

2:30 o'clock p. m.

The President announced that the hour had arrived for the special order and laid before the Senate

Senate bill No. 216 (file No. 206), entitled

A bill to revise, consolidate and add to the laws relating to the establishment, opening, improvement, maintenance and use of highways and private roads, and the building, repairing and preservation of bridges within this State.

Mr. Tuttle moved that the Senate resolve itself into the committee of the whole on the special order.

The motion prevailed.

The President called Mr. Tuttle to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee of the whole has had under consideration the above entitled bill,

Has made sundry amendments thereto and has directed its chairman to report the same back to the Senate, asking concurrence therein, but not having completed the consideration thereof, reports progress and asks leave to sit again on the bill.

ARTHUR J. TUTTLE,
Chairman.

The report was accepted.

The Senate concurred in the amendments and in the recommendation of the Committee regarding the bill named in the report and the committee was granted leave to sit again on the bill.

Mr. Aitkin asked and obtained leave of absence for himself from the remainder of today's session.

Mr. Tuttle moved that the Senate take a recess until 7:30 o'clock p. m.

The motion prevailed, the time being 5:10 o'clock p. m.

AFTER RECESS.

7:30 o'clock p. m.

The Senate was called to order by the President.
A quorum of the Senate was present.

Senators Kline and Ward entered the Senate Chamber and took their seats.

The Senate resumed the

SPECIAL ORDER

The same being the consideration of
Senate bill No. 216 (file No. 206),

Relating to highways, roads and bridges.

Mr. Moriarty moved that the Senate resolve itself into the committee of the whole on the special order.

The motion prevailed.

The President called Mr. Tuttle to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee of the whole has had under consideration the above named bill.

Has made sundry amendments thereto and has directed its chairman to report the same back to the Senate, asking concurrence therein, but not having completed the consideration thereof, reports progress and asks leave to sit again on the bill.

ARTHUR J. TUTTLE,
Chairman.

The report was accepted.

The Senate concurred in the amendments and in the recommendation of the committee regarding the bill named in the report and the committee was granted leave to sit again on the bill.

By unanimous consent the Senate returned to the order of

. MOTIONS AND RESOLUTIONS.

Mr. Foster offered the following resolution:

Senate resolution No. 88.

Resolved, That the use of the Senate Chamber be granted for a public hearing before the Committee on Forestry and State Lands tomorrow at 11 o'clock a. m.

The resolution was adopted.

By unanimous consent the Senate took up to the order of

THIRD READING OF BILLS.

House bill No. 106 (file No. 48), entitled

A bill to amend section 9 of Act No. 134 of the Public Acts of 1885, entitled "An act to regulate the practice of pharmacy in the State of Michigan," as amended by Act No. 279 of the Public Acts of 1907;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Mapes moved to amend the bill by inserting in line 11 of section 9 after the word "to" and before the word "druggists" the words "sales by."

The amendment was received, a majority of all the Senators present voting therefor.

The amendment was then adopted.

The question being on the passage of the bill,

Mr. Mapes moved to amend the bill by inserting in line 12 of section 9 after the word "only" the words "of not less than one-eighth of an ounce, or if pills and tablets, not less than one hundred;"

On which motion he demanded the yeas and nays.

The amendment was then not received, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Bolt Collins Dickinson	Mr. Krueger Mapes Shields	Mr. Snell Taylor Tuttle	Mr. Wetmore White	11
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NAYS.

Mr. Barnaby Bates Bradley Fairbanks	Mr. Foster Fowle Kingman Kline	Mr. MacKay Ming Moriarty Newton	Mr. Smith Ward Watkins Whitney	16
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The question being on the passage of the bill,
Mr. Newton moved to reconsider the vote by which the Senate adopted the first named amendment to the bill.

On which motion Mr. Mapes demanded the yeas and nays.

The motion made by Mr. Newton then prevailed, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut Barnaby Bates Bradley Dickinson	Mr. Fairbanks Foster Fowle Kingman Kline	Mr. Krueger Ming Moriarty Newton Smith	Mr. Snell Ward Watkins Wetmore Whitney	20
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NAYS.

Mr. Bolt Collins	Mr. Mapes Shields	Mr. Taylor Tuttle	Mr. White	7
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The question being on the adoption of the amendment.

The amendment was not adopted.

The question being on the passage of the bill,

Mr. Tuttle moved to amend the bill by adding to section 9 the following:

"Provided further, That the above provision shall not apply to sales in the original package by any druggist to a resident of the county in which such druggist is located where such person shall file with such druggist a statement in writing, the truthfulness of which is certified by two regular practicing physicians of such county stating that such person is a confirmed morphine taker and has been for a period of at least five years."

On which motion Mr. Tuttle demanded the yeas and nays.

The amendment was then not received, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Bolt Bradley Collins	Mr. Dickinson Krueger Mapes	Mr. Shields Snell Taylor	Mr. Tuttle White	1
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NAYS.

Mr. Anhut	Mr. Fowle	Mr. Ming	Mr. Ward
Barnaby	Kingman	Moriarty	Watkins
Bates	Kline	Newton	Wetmore
Fairbanks	MacKay	Smith	Whitney
Foster			

17

Mr. Ming moved the previous question,

Which motion was seconded.

The question then being, "Shall the main question now be put?"

The same was ordered.

The question being on the final passage of the bill,

The bill was then passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Fairbanks	Mr. Krueger	Mr. Smith
Barnaby	Foster	MacKay	Snell
Bates	Fowle	Ming	Ward
Bradley	Kingman	Moriarty	Watkins
Dickinson	Kline	Newton	Whitney

20

NAYS.

Mr. Bolt	Mr. Mapes	Mr. Taylor	Mr. Wetmore
Collins	Shields	Tuttle	White

8

The title of the bill was agreed to.

Senate bill No. 119 (file No. 104), entitled

A bill to amend section 1 of Act No. 262 of the Public Acts of 1897, entitled "An act to require township boards to make public annually an itemized statement of the condition of the finances of the township, in relation to the receipts and disbursements made by the township board," said section being compiler's section 2350 of the Compiled Laws of 1897;

Pending the third reading of the bill,

Mr. Fox asked unanimous consent to have the further consideration of the bill postponed for the day.

Objection was raised by Mr. MacKay.

Mr. Fox then moved that the bill be passed for the day.

The motion prevailed.

Mr. Mapes moved that the Senate adjourn.

The motion prevailed, the time being 10 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

FIFTY-NINTH DAY.

Lansing, Wednesday, April 14.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. Charles E. Huffer, of Albion.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—32.

PRESENTATION OF PETITIONS.

No. 664. By Mr. Bradley: Petition of C. E. Higbee and 13 other members of Banner Grange No. 640, of Ionia county, in favor of the Baker bill requiring telephone companies to interchange service.

The petition was referred to the Committee on State Affairs.

No. 665. By Mr. Bates: Petition of W. C. Lafler and 22 other members of Bangor Grange No. 60, of Van Buren county, on the same subject.

The petition was referred to the Committee on State Affairs.

No. 666. By Mr. Bates: Petition of W. C. Lafler and 20 other members of Bangor Grange No. 60, of Van Buren county, in favor of the passage of the Baker bill to provide for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 667. By Mr. Dickinson: Protest of C. A. Pitcher and 26 other citizens of Hastings against the passage of the Huntley pharmacy bill.

The protest was referred to the Committee on Public Health.

No. 668. By Mr. Fowle: Protest of Joseph Mattas and 8 other citizens of Sault Ste. Marie, on the same subject.

The protest was referred to the Committee on Public Health.

No. 669. By Mr. Foster: Protest of G. E. Brigham and 3 other druggists of Gladwin on the same subject.

The protest was referred to the Committee on Public Health.

No. 670. By Mr. Fowle: Protest of John Anderson and 37 other citizens of Escanaba against the passage of the Collins labor bill.

The protest was referred to the Committee on Labor Interests.

No. 671. By Mr. Whitney: Protest of Frank Schmidt and 22 other citizens of Saginaw on the same subject.

The protest was referred to the Committee on Labor Interests.

No. 672. By Mr. MacKay: Protest of John P. Gardner and 22 other citizens of Detroit on the same subject.

The protest was referred to the Committee on Labor Interests.

No. 673. By Mr. Whitney: Petition of Edward Boyse and 126 other citizens of Saginaw in favor of the passage of the Ming employer's liability bill.

The petition was referred to the Committee on Judiciary.

No. 674. By Mr. Fowle: Protest of George Jensen and 78 other citizens of Escanaba against the passage of the Ming fish bill.

The protest was referred to the Committee on Fisheries.

No. 675. By Mr. Fowle: Protest of R. F. Kleinke and 182 other citizens of Menominee county on the same subject.

The protest was referred to the Committee on Fisheries.

No. 676. By Mr. Fowle: Resolutions of Arbutus Camp No. 652, Royal Neighbors of America, against the passage of the minimum rate bill for fraternal insurance societies.

The resolutions were referred to the Committee on Insurance.

No. 677. By Mr. Ming: Resolutions of Pioneer Camp No. 1770, M. W. of A., of Alpena, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 678. By Messrs. Anhut and MacKay: Protest of Enterprise Camp No. 8894, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 679. By Messrs. Anhut and MacKay: Protest of C. J. Byrns Camp No. 11463, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 680. By Messrs. Anhut and MacKay: Protest of Talbot Camp No. 5709, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 681. By Messrs. Anhut and MacKay: Protest of Delray Camp No. 11303, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 682. By Messrs. Anhut and MacKay: Protest of Pingree Camp No. 10095, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 683. By Messrs. Anhut and MacKay: Protest of Oak Leaf Camp No. 6445, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 684. By Messrs. Anhut and MacKay: Protest of Sobieski Camp No. 11370, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 685. By Messrs. Anhut and MacKay: Protest of Sternet Camp No. 10118, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 686. By Messrs. Anhut and MacKay: Protest of C. W. Hawes Camp No. 8802, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 687. By Messrs. Anhut and MacKay: Protest of Pulaski Camp No. 9696, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 688. By Messrs. Anhut and MacKay: Protest of Detroit Camp No. 7671, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 689. By Messrs. Anhut and MacKay: Protest of Kopernik Camp No. 8795, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 690. By Messrs. Anhut and MacKay: Protest of Pine Camp No. 5671, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 691. By Messrs. Anhut and MacKay: Protest of McClemon Camp No. 5782, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 692. By Messrs. Anhut and MacKay: Protest of Hickory Camp No. 9162, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 693. By Messrs. Anhut and MacKay: Protest of A. Behrendt Camp No. 8156, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 694. By Messrs. Anhut and MacKay: Protest of Columbia Camp No. 7224, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 695. By Mr. Anhut: Protest of Guilfoil Camp No. 9426, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 696. By Mr. Anhut: Protest of North Woodward Camp No. 11462, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 697. By Mr. MacKay: Protest of Wolverine Camp No. 10219, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

No. 698. By Mr. MacKay: Protest of North Woodward Camp No. 11346, M. W. of A., of Detroit, on the same subject.

The protest was referred to the Committee on Insurance.

MOTIONS AND RESOLUTIONS.

Mr. Scott offered the following resolution:

Senate resolution No. 89.

Resolved, That Harris E. Galpin, Clerk of the Senate Committee on Education and Public Schools, be and is hereby authorized to accompany said committee on the occasion of its visit to Alpena.

Mr. Scott moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Kline moved to take from the table

Senate bill No. 87 (file No. 78), entitled

A bill to amend sections 36, 38 and 55 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," as amended, the same being sections 6125, 6137 and 6144 of the Compiled Laws of 1897, as amended.

The motion prevailed.

The question being on the passage of the bill,

Mr. Mapes moved to amend the bill by inserting in line 6 of section 38 after the word "necessary" the words "Provided, however, That such examiners shall pass an examination before a non-partisan examination board, who shall conduct examination of applicants to determine their fitness and competency for such employment; such examination board to consist of three members, each engaged in the banking business, appointed by the Governor, who shall hold office for four years

and until their successors are appointed and who shall serve without compensation."

SPECIAL ORDER.

2:30 o'clock p. m.

The President announced that the hour had arrived for the special order and laid before the Senate

Senate bill No. 91 (file No. 81), entitled

A bill to prescribe the liability of common carrier railroad companies and persons, copartnerships, firms, associations and corporations owning or operating railroads, not common carriers, to their employees.

Mr. Wetmore moved that the consideration of the bill on the special order be deferred for ten minutes.

The motion prevailed, two-thirds of all the Senators present voting therefor.

The question being on receiving the amendment offered by Mr. Mapes to

Senate bill No. 87 (file No. 78), entitled

A bill to amend sections 36, 38 and 55 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," as amended, the same being sections 6125, 6137 and 6144 of the Compiled Laws of 1897, as amended.

Mr. Mapes demanded the yeas and nays.

The amendment was then received, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Mapes	Mr. Taylor
Anhut	Fowle	Ming	Tuttle
Barnaby	Fox	Scott	Watkins
Bates	Kingman	Shields	Weter
Bolt	Krueger	Smith	White
Dickinson	MacKay	Snell	
			23

NAYS.

Mr. Bradley	Mr. Kline	Mr. Newton	Mr. Wetmore
Collins	Moriarty	Ward	Whitney
Fairbanks			
			9

The question being on the adoption of the amendment,

Mr. Ming demanded the yeas and nays.

The amendment was then adopted, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Mapes	Mr. Taylor
Anhut	Fowle	Ming	Tuttle
Barnaby	Fox	Scott	Watkins
Bates	Kingman	Shields	Weter
Bolt	Krueger	Smith	White
Dickinson	MacKay	Snell	

23

NAYS.

Mr. Bradley	Mr. Kline	Mr. Newton	Mr. Wetmore
Collins	Moriarty	Ward	Whitney
Fairbanks			

9

The question being on the passage of the bill,
Mr. Mapes moved to amend the bill by striking out entire section 36.

SPECIAL ORDER.

2:40 o'clock p. m.

The President announced that the hour had arrived for the special order and again laid before the Senate

Senate bill No. 91 (file No. 81), entitled

A bill to prescribe the liability of common carrier railroad companies and persons, copartnerships, firms, associations and corporations owning or operating railroads, not common carriers, to their employees.

Mr. Shields moved that the Senate resolve itself into the committee of the whole on the special order.

Mr. Wetmore moved as a substitute that the consideration of the bill on the special order be deferred for ten minutes.

The substitute for the motion made by Mr. Shields was then adopted.

The question being on receiving the amendment offered by Mr. Mapes, to strike out entire section 36 of

Senate bill No. 87 (file No. 78), entitled

A bill to amend sections 36, 38 and 55 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," as amended, the same being sections 6125, 6137 and 6144 of the Compiled Laws of 1897, as amended.

Mr. Mapes demanded the yeas and nays.

The amendment then was not received, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut Barnaby Bates	Mr. Bolt Dickinson Fox	Mr. Mapes Shields Taylor	Mr. Tuttle Weter	11
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NAYS.

Mr. Aitkin Bradley Collins Fairbanks Foster Fowle	Mr. Kingman Kline Krueger MacKay Ming	Mr. Moriarty Newton Scott Smith Snell	Mr. Ward Watkins Wetmore White Whitney	21
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Mr. Ming moved the previous question,
Which motion was seconded.

The question then being "Shall the main question now be put?"
The same was ordered.

The question being on the passage of the bill,

The bill was then passed, two-thirds of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin Anhut Barnaby Bradley Collins Dickinson	Mr. Fairbanks Foster Fowle Kingman Kline Krueger	Mr. MacKay Ming Moriarty Newton Scott Smith	Mr. Snell Ward Watkins Wetmore White Whitney	24
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NAYS.

Mr. Bates Bolt	Mr. Fox Mapes	Mr. Shields Taylor	Mr. Tuttle Weter	8
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SPECIAL ORDER.

2:50 o'clock p. m.

The President announced that the hour had arrived for the special order and again laid before the Senate

Senate bill No. 91 (file No. 81), entitled

A bill to prescribe the liability of common carrier railroad companies and persons, copartnerships, firms, associations and corporations owning or operating railroads, not common carriers, to their employees.

Mr. Moriarty moved that the Senate resolve itself into the committee of the whole on the special order.

The motion prevailed.

The President called Mr. Dickinson to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee of the whole has had under consideration the above entitled bill,

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in, and recommend that, as amended, the bill pass.

L. D. DICKINSON,
Chairman.

The report was accepted.

The question being on concurring in the amendments made to the bill by the committee,

Mr. Ming asked for a division of the question,

To which request the Senate agreed.

Mr. Ming moved that the Senate concur in the first, second and third amendments made to the bill by the committee.

The Senate then concurred and the bill was so amended.

The question then being on concurring in the fourth named amendment made to the bill by the committee, offered by Mr. Moriarty, as follows:

By inserting in line 4 of section 1 after the word "kin" the words "if dependent on them for support,"

Mr. Ming demanded the yeas and nays.

The Senate then did not concur, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Bates	Mr. Kingman	Mr. Smith	Mr. Tuttle	
Bolt	MacKay	Snell	Weter	
Bradley	Moriarty	Taylor	Whitney	
Collins				13

NAYS.

Mr. Anhut	Mr. Fowle	Mr. Mapes	Mr. Shields	
Barnaby	Fox	Ming	Watkins	
Dickinson	Kline	Newton	Wetmore	
Fairbanks	Krueger	Scott	White	
Foster				17

The bill was then placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of

MOTIONS AND RESOLUTIONS.

Mr. Fairbanks offered the following resolution:

Senate resolution No. 90.

Resolved, That the regular standing committee of the Senate on State Tuberculosis Sanatorium at Howell, consisting of Senators Fairbanks, Bradley and Barnaby, be and hereby is granted authority to visit that institution.

Mr. Fairbanks moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Bolt offered the following resolution:

Senate resolution No. 91.

Resolved, That the regular standing committee of the Senate on the Michigan Employment Institution for the Blind at Saginaw, consisting of Senators Bolt, Krueger and Ming, and Senator Fairbanks, member of the Committee on Finance and Appropriations, be and are hereby authorized to visit that institution.

Mr. Bolt moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Fairbanks asked and obtained leave of absence for the Committee on State Tuberculosis Sanatorium at Howell, consisting of Senators Fairbanks, Bradley and Barnaby, from the sessions of tomorrow and Friday.

Mr. Shields asked and obtained leave of absence for himself from the sessions of tomorrow and Friday.

REPORTS OF STANDING COMMITTEES.

By the Committee on Public Health:

The Committee on Public Health reports

Senate bill No. 15 (file No. 13), entitled

A bill to amend section 4 of Act No. 244 of the Public Acts of the State of Michigan for the year 1907, entitled "An act to protect the title and to regulate the practice of veterinary medicine and surgery in all its various branches in the State of Michigan; providing for a State Veterinary Board and prescribing its duties; regulating existing practitioners; governing under-graduates and reciprocity with other states and provinces; prescribing penalties for its violation, and repealing all inconsistent acts," approved June 27, 1907;

With the following amendments thereto:

1. By striking out of line 2 of section 4 the words "the passage of this act" and inserting in lieu thereof the words "January first nineteen hundred eight."

2. By inserting in line 8 of section 4 after the word "engaged" the words "up to January first nineteen hundred eight;"

Recommend that the amendments be concurred in, and that when so amended the bill pass.

A. C. KINGMAN,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Kingman moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 91 (file No. 50), entitled

A bill to amend the title and sections 1, 4 and 9 of Act No. 233 of the Public Acts of 1887, entitled "An act to authorize the sale, in certain cases, of land devised or bequeathed by will, without power of sale," being compiler's sections 9234, 9237 and 9242, inclusive, of the Compiled Laws of 1897, as amended by Act No. 55 of the Public Acts of 1901;

With the recommendation that the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 62 (file No. 68), entitled

A bill to amend section 10 of chapter 13 of the Revised Statutes of 1846, entitled "Organization, powers and duties of counties," the same being compiler's section 2448 of the Compiled Laws of 1897, relative to jurisdiction of counties bordering on Lake Michigan;

With the recommendation that the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 229 (file No. 218), entitled

A bill to amend section 2 of Act No. 148 of the Public Acts of 1869, entitled "An act to revise and consolidate the several acts relating

to the support and maintenance of poor persons," approved April 5, 1869, being compiler's section 4503 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

J. D. M. MacKAY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 242 (file No. 231), entitled

A bill to prohibit the sale of fruits, vegetables, berries or nuts in baskets, boxes, cases, drawers or other receptacles, less than legal measure;

With the recommendation that the bill pass.

J. D. M. MacKAY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 170 (file No. 153), entitled

A bill to create a State Board of Equalization; to prescribe its duties; to provide for furnishing it with certain statements and data; and to repeal all acts or parts of acts in anywise contravening the provisions of this act;

With the recommendation that the bill pass.

J. D. M. MacKAY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 240 (file No. 229), entitled

A bill to change the names of John Theodore Sjoordema, George Sjoordema, Theodore Sjoordema, William Sjoordema and Orsalena Sjoordema, to John Sjoordema Sherman, George Sjoordema Sherman, Theodore Sjoordema Sherman, William Sjoordema Sherman and Orsalena Sjoordema Sherman, respectively;

With the recommendation that the bill pass.

J. D. M. MacKAY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 144 (file No. 130), entitled

A bill to amend section 1 of Act No. 131 of the Session Laws of 1867, entitled "An act supplementary to an act entitled 'An act to establish the Detroit House of Correction and authorize the confinement of convicted persons therein,'" the same being compiler's section 2176 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

J. D. M. MacKay,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 169 (file No. 152), entitled

A bill to prevent trespass upon huckleberry marshes and to provide a penalty therefor and to provide for the collection of damages growing out of such trespass;

Without recommendation.

J. D. M. MacKay,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 201 (file No. 187), entitled

A bill designating the twelfth day of October of each year as a public holiday, to be known as "Columbus Day;"

Without recommendation.

J. D. M. MacKay,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Labor Interests:

The Committee on Labor Interests reports

House bill No. 93 (file No. 139), entitled

A bill regulating steam vessels and vessels or boats operated by machinery, navigating the waters within the jurisdiction of this State, excepting vessels which are subject to inspection under the laws of the United States, and providing penalties for the violation thereof;

With the recommendation that the bill pass.

WILLIAM H. BRADLEY,

Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Industrial Home for Girls:

The Committee on Industrial Home for Girls reports

Senate bill No. 214 (file No. 200), entitled

A bill to provide for the transfer to the current expense fund of certain unexpended appropriations for the Industrial Home for Girls;

With the recommendation that the bill pass.

GEO. G. SCOTT,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

Senate bill No. 50 (file No. 46), entitled

A bill fixing the time when members of the State Board of Education shall be elected;

With the recommendation that the bill pass.

GEO. G. SCOTT,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

House bill No. 156 (file No. 157), entitled

A bill to amend sections 17 and 20 of chapter 2 and sections 3, 4, 9 and 25 of chapter 3 and sections 4, 5 and 6 of chapter 10 of Act 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all acts or parts of acts contravening the provisions of this act," being sections 4662, 4665, 4668, 4669, 4674, 4691, 4749, 4750 and 4751 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

GEO. G. SCOTT,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

Senate bill No. 222 (file No. 210), entitled

A bill to amend section 11 of Act No. 194 of the Public Acts of 1889, entitled "An act to revise and consolidate the laws relative to the State Board of Education," said section being compiler's section 1822 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

GEO. G. SCOTT,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

House bill No. 236 (file No. 158), entitled

A bill to amend section 4 of Act No. 200 of the Public Acts of 1905, entitled "An act to provide for the compulsory education of children, for penalties for failure to comply with the provisions of this act, and to repeal all acts or parts of acts conflicting with the provisions of the same;"

With the recommendation that the bill pass.

GEO. G. SCOTT,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

Senate bill No. 257 (file No. 246), entitled

A bill to repeal section 9 and to amend sections 3 and 12 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," being compiler's sections 4816, 4810 and 4819 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

GEO. G. SCOTT,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

Senate bill No. 260 (file No. 249), entitled

A bill to amend section 10 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act" as amended by section 10 of Act No. 148 of the Public Acts of 1905;

With the recommendation that the bill pass.

GEO. G. SCOTT,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

Mr. Fox, by unanimous consent, moved that the Senate take up the order of

UNFINISHED BUSINESS.

The motion prevailed, two-thirds of all the Senators present voting therefor.

The President laid before the Senate as Unfinished Business

Senate bill No. 216 (file No. 206), entitled

A bill to revise, consolidate and add to the laws relating to the establishment, opening, improvement, maintenance and use of highways and private roads, and the building, repairing and preservation of bridges within this State.

Mr. Fox moved that the Senate resolve itself into the committee of the whole for the consideration of the above entitled bill.

The motion prevailed.

The President called Mr. Tuttle to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee of the whole has had under consideration the above entitled bill,

Has made sundry amendments thereto and has directed its chairman to report the same back to the Senate, asking concurrence therein but not having completed the consideration thereof, reports progress and asks leave to sit again on the bill.

ARTHUR J. TUTTLE,
Chairman.

The report was accepted.

The Senate concurred in the amendments and in the recommendation of the committee regarding the bill named in the report and the committee was granted leave to sit again on the bill.

Mr. Wetmore, by unanimous consent, moved to reconsider the vote by which the Senate yesterday concurred in the amendment made by the committee of the whole to

Senate bill No. 216 (file No. 206), Relating to Highways, Roads and Bridges,

By which amendment section 2 of chapter 5 of the bill was stricken out and a new section inserted to be known as section 2 and providing for the election of the State Highway Commissioner in the year 1910 and every four years thereafter.

Pending which motion

Mr. MacKay moved that the Senate adjourn.

On which motion Mr. Ward demanded the yeas and nays.

Mr. MacKay withdrew his motion.

By unanimous consent the Senate returned to the order of

INTRODUCTION OF BILLS.

Messrs. Ward and Anhut introduced
Senate bill No. 269, entitled

A bill to regulate the transmission of electricity through the public highways, streets and places of this State where the source of supply and place of use are in the same or different counties; and to regulate the charges to be made for electricity so transmitted; and to vest the Michigan Railroad Commission with certain powers and duties in regard thereto.

The bill was read a first and second time by its title, ordered printed and referred to the Select Committee on Investigation of Waterways.

Mr. Anhut introduced
Senate bill No. 270, entitled

A bill to amend sections 2, 11, 25, 27 and 28 of Act No. 92 of the Public Acts of 1893, as amended by Act No. 143 of the Public Acts of 1895, entitled "An act to provide separate grades for railroads and public highways and streets where railroads intersect such highways and streets," being compiler's sections 4230, 4239, 4253, 4255 and 4256 of chapter 102 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Railroads.

Mr. Anhut introduced
Senate bill No. 271, entitled

A bill to provide for the incorporation and regulation of co-operative and mutual protective associations of railway conductors and engineers.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Insurance.

Mr. Whitney moved that the Senate adjourn.

On which motion Mr. Ming demanded the yeas and nays.

The motion made by Mr. Whitney then did not prevail, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Barnaby	Mr. Fox	Mr. Shields	Mr. Watkins	
Bolt	MacKay	Smith	White	
Collins	Mapes	Tuttle	Whitney	12

NAYS.

Mr. Aitkin	Mr. Fairbanks	Mr. Krueger	Mr. Taylor	
Anhut	Foster	Ming	Ward	
Bates	Fowle	Moriarty	Weter	
Bradley	Kingman	Newton	Wetmore	19
Dickinson	Kline	Scott		

Mr. Wetmore, by unanimous consent, renewed his motion to reconsider the vote by which the Senate yesterday concurred in the amendment made by the committee of the whole to

Senate bill No. 216 (file No. 206), Relating to Highways, Roads and Bridges,

Which amendment provides for the election of the State Highway Commissioner.

Mr. Ming moved the previous question,

Which motion was seconded.

The question then being "Shall the main question now be put?"

The same was ordered.

The question being on the motion made by Mr. Wetmore,

Mr. Tuttle arose to a point of order and stated that the motion made by Mr. Wetmore was not in order for the reason that the amendments

made to the above named bill by the committee of the whole were concurred in by the Senate as a whole, not separately, and are not now susceptible of division.

The President declared the point of order well taken.

Mr. Tuttle moved that the Senate adjourn.

On which motion

Mr. Ming demanded the yeas and nays.

Mr. Tuttle withdrew his motion.

By unanimous consent the Senate returned to the order of

INTRODUCTION OF BILLS.

Mr. Wetmore introduced

Senate bill No. 272, entitled

A bill authorizing the appointment of a clerk of the Supreme Court and repealing conflicting acts.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Taylor introduced

Senate bill No. 273, entitled

A bill to provide for the collection of specific sums on the recording and discharging of certain real estate mortgages in lieu of taxes thereon, and for the distribution of said sum.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. Scott introduced

Senate bill No. 274, entitled

A bill to amend section 2 of chapter 8 of Act No. 164 of the Public Acts of 1891, as amended by Act No. 182 of the Public Acts of 1903, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being compiler's section 4729 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Bolt introduced

Senate bill No. 275, entitled

A bill to authorize civil actions for the recovery of damages arising from newspaper publications negligently made; defining the character of such damages; and requiring every newspaper published in this State to print in a conspicuous place in each issue the names of the

owners, proprietors or publishers and the managing editors of the same; making a violation of this act a misdemeanor and fixing a penalty therefor; and to repeal all other acts or parts of acts in anywise contravening the provisions of this act.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Ming introduced

Senate bill No. 276, entitled

A bill to authorize the boards of health of the several townships of this State to acquire and enlarge burying grounds and approaches thereto in their respective townships and to provide the manner of acquiring private property for such purpose.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Public Health.

Mr. Tuttle moved that the Senate adjourn.

The motion prevailed, the time being 6:15 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

SIXTIETH DAY.

Lansing, Thursday, April 15.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Bates, Bolt, Collins, Dickinson, Foster, Fowle, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—28.

The following Senators were absent with leave: Messrs. Barnaby, Bradley, Fairbanks, Shields—4.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
April 15, 1909.

To the President of the Senate:

Sir:—I hereby submit the following nominations for the consideration of the Senate:

Albertus Nyland, of Grand Rapids, Kent county, as Member of the Board of Registration in Medicine, for the term of four years, beginning October 1, 1909;

Beverly D. Harison, of Detroit, Wayne county, as Member of the Board of Registration in Medicine, for the term of four years, beginning October 1, 1909;

Joseph H. Cowell, of Saginaw, Saginaw county, as Member of the Board of Registration in Medicine, for the term of four years, beginning October 1, 1909;

John L. Campbell, of Birmingham, Oakland county, as Member of the Board of Registration in Medicine, for the term of four years, beginning October 1, 1909;

William Bell, of Belding, Ionia county, as Member of the Board of Registration in Medicine, for the term of four years, beginning October 1, 1909;

James V. Barry, of Lansing, Ingham county, as Commissioner of Insurance, for the term of two years, beginning July 1, 1909;

Townsend A. Ely, of Alma, Gratiot county, as Commissioner of Highways, for the term beginning July 1, 1909.

Very respectfully,

FRED M. WARNER,
Governor.

Mr. Ward moved that Townsend A. Ely, an ex-member of the Senate, appointed today by the Governor to the office of State Highway Commissioner, be confirmed in open session.

The motion prevailed.

The question being on the confirmation of Mr. Ely,

Mr. MacKay arose to a point of order and stated that the motion made by Mr. Ward had not prevailed for the reason that the motion was a suspension of the Senate rules and required the support of two-thirds of the Senators present and voting, which it had not received, and that the nomination of Mr. Ely should therefore be referred to the Committee on Executive Business.

The President stated that it had been the general practice of the Senate to confirm ex-members of the Senate, nominated to office by the Governor, in open session, and he ruled that the motion made by Mr. Ward had prevailed.

The question being on the confirmation of Mr. Ely,

Mr. Mapes moved that the nomination be laid on the table.

On which motion Mr. Tuttle demanded the yeas and nays.

Mr. Ming moved the previous question,

Which motion was seconded.

The question then being, "Shall the main question now be put?"

Mr. MacKay demanded the yeas and nays.

The previous question was then ordered, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fowle	Mr. Ming	Mr. Smith
Bates	Kingman	Morlarty	Taylor
Dickinson	Kline	Newton	Ward
Foster	Krueger	Scott	Wetmore

16

NAYS.

Mr. Anhut	Mr. Fox	Mr. Snell	Mr. Weter
Bolt	MacKay	Tuttle	White
Collins	Mapes	Watkins	Whitney

12

The question being on the confirmation of Townsend A. Ely as State Highway Commissioner,

The Senate advised and consented to the said nomination to office, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fox	Mr. Moriarty	Mr. Ward
Bates	Kingman	Newton	Watkins
Dickinson	Kline	Scott	Wetmore
Foster	Krueger	Smith	White
Fowle	Ming	Taylor	Whitney

20

NAYS.

Mr. Anhut	Mr. Collins	Mr. Mapes	Mr. Tuttle
Bolt	MacKay	Snell	Weter

8

Mr. Ming moved to reconsider the vote by which the Senate advised and consented to the foregoing nomination to office.

Mr. Wetmore moved that the motion made by Mr. Ming be laid on the table,

On which motion Mr. MacKay demanded the yeas and nays.

The motion made by Mr. Wetmore then prevailed, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Bates	Mr. Kline	Mr. Newton	Mr. Ward
Dickinson	Krueger	Scott	Wetmore
Foster	Ming	Taylor	White
Fowle	Moriarty		

14

NAYS.

Mr. Aitkin	Mr. Fox	Mr. Mapes	Mr. Watkins
Anhut	Kingman	Snell	Weter
Bolt	MacKay	Tuttle	Whitney
Collins			

13

The remaining nominations to office by the Governor were then referred to the Committee on Executive Business.

PRESENTATION OF PETITIONS.

No. 699. By Mr. Kline: Protest of Henry Smith and 44 other members of Henry Camp No. 7879, M. W. of A., of Cone, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 700. By Mr. Kline: Resolutions of Camp No. 3113, M. W. of A., of Hudson, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 701. By Mr. MacKay: Protest of Karl Walter and 11 other citizens of Detroit against the passage of the Collins labor bill.

The protest was referred to the Committee on Labor Interests.

No. 702. By Mr. Krueger: Protest of W. R. Henderson and 10 other citizens of Detroit against the passage of the Huntley pharmacy bill.

The protest was referred to the Committee on Public Health.

No. 703. By Mr. Aitkin: Protest of James A. English and 16 other citizens of Peck on the same subject.

The protest was referred to the Committee on Public Health.

No. 704. By Mr. Aitkin: Protest of William Coggins and 37 other citizens of Crosswell on the same subject.

The protest was referred to the Committee on Public Health.

No. 705. By Mr. Fowle: Petition of William Sanderson and 167 other citizens of Pickford in favor of the passage of the Dickinson anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 706. By Mr. Dickinson: Petition of Lincoln N. Bush and 96 other citizens of Barry county on the same subject.

The petition was referred to the Committee on Public Health.

No. 707. By Mr. Taylor: Petition of L. H. Manning and 117 other members of the Baptist and Methodist churches of Sturgis on the same subject.

The petition was referred to the Committee on Public Health.

No. 708. By Mr. Fox: Petition of George E. Hopps and 99 other citizens of Kingston and Dayton on the same subject.

The petition was referred to the Committee on Public Health.

No. 709. By Mr. Bates: Petition of H. C. Parker and 73 other citizens of South Haven on the same subject.

The petition was referred to the Committee on Public Health.

No. 710. By Mr. Bates: Petition of James H. Pearce and 73 other citizens of South Haven on the same subject.

The petition was referred to the Committee on Public Health.

No. 711. By Mr. Bates: Petition of G. W. Griffin and 23 other citizens of South Haven on the same subject.

The petition was referred to the Committee on Public Health.

No. 712. By Mr. Aitkin: Petition of R. McArthur and 32 other citizens of Harbor Beach on the same subject.

The petition was referred to the Committee on Public Health.

No. 713. By Mr. Aitkin: Petition of W. T. See and 38 other citizens of Harbor Beach on the same subject.

The petition was referred to the Committee on Public Health.

No. 714. By Mr. Aitkin: Petition of J. W. Kelley and 99 other citizens of Harbor Beach on the same subject.

The petition was referred to the Committee on Public Health.

No. 715. By Mr. Anhut: Petition of L. R. King and 23 other citizens of Detroit on the same subject.

The petition was referred to the Committee on Public Health.

No. 716. By Mr. Anhut: Petition of L. F. Thompson and 29 other citizens of Detroit on the same subject.

The petition was referred to the Committee on Public Health.

No. 717. By Mr. Weter: Petition of W. G. Bryant and 25 other citizens of Port Huron on the same subject.

The petition was referred to the Committee on Public Health.

No. 718. By Mr. Weter: Petition of F. Pettingill and 33 other citizens of Port Huron on the same subject.

The petition was referred to the Committee on Public Health.

No. 719. By Mr. Kingman: Petition of Guy C. Smith and 107 other citizens of Calhoun county on the same subject.

The petition was referred to the Committee on Public Health.

No. 720. By Mr. Wetmore: Petition of G. M. Morrow and 153 other citizens of Central Lake on the same subject.

The petition was referred to the Committee on Public Health.

No. 721. By Mr. Whitney: Petition of William Rudd and 96 other citizens of Chesaning on the same subject.

The petition was referred to the Committee on Public Health.

No. 722. By Mr. Foster: Petition of Christopher Clarke and 254 other citizens of Marion on the same subject.

The petition was referred to the Committee on Public Health.

No. 723. By Mr. Newton: Petition of E. A. Tuttle and 92 other citizens of Oakland county on the same subject.

The petition was referred to the Committee on Public Health.

No. 724. By Mr. White: Petition of R. Parsons and 69 other citizens of Dowagiac on the same subject.

The petition was referred to the Committee on Public Health.

No. 725. By Mr. Foster: Resolution of the Board of Supervisors of Clare county protesting against the passage of legislation to set aside State tax lands for forest reserves.

Mr. Foster moved that the resolution be spread at length in the Journal.

The motion prevailed.

The following is the resolution:

Whereas, For many years this Board of Supervisors, together with prominent men of this county, endeavored to have all lands which have been delinquent for taxes for four or more years, examined by the Auditor General, and have the same deeded to the Commissioner of the State Land Office, thereby placing the thousands of acres of land upon the market as both tax homestead lands and offered for sale as State tax lands; and

Whereas, After years of entreaty this was accomplished and every endeavor was made to show these lands to actual settlers, with the most satisfactory results, there being many homes and thousands of acres cleared and improved, and the lands again became a revenue to both the State and county by being replaced on the assessment rolls of the several townships; therefore be it

Resolved, That we earnestly protest to the Legislature against the placing of these lands as forest reserves, but that the present law be amended to allow the sale of these lands annually at the county seat of the county in which such lands are situated, in similar manner as the annual tax sales, thereby giving the actual residents an opportunity to purchase direct from the State, which will increase the revenue from such sales, make a better distribution of the real estate and hasten the development that is essential.

The resolution was referred to the Committee on Forestry and State Lands.

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 177 (file No. 161), entitled

A bill to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems and providing penalties for the violation thereof;

With the following amendment thereto:

By striking out of line 4 of section 3 the words "for an injunction so;"

Recommend that the amendment be concurred in, and that when so amended, the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 178 (file No. 162), entitled

A bill to provide for suits in equity to quiet the title to real estate, and for determining the validity, nature or extent of encumbrances upon or uncertainties in or to the title to real estate by possible or doubtful conditions, restrictions, reservations, stipulations or agreements in any deed, will, conveyance, or any other writing of record, whether void upon its face or not, and to include as defendants herein the unknown grantees, heirs or devisees of claimants and the stockholders and creditors of defunct corporations and partnership associations;

With the following amendments thereto:

1. By inserting in line 1 of section 2 after the word "by" the following: "Any deed or other instrument of record which may be extinguished or defeated by a later or paramount title or by."

2. By inserting in line 3 of section 2 after the word "stipulation" the word "misdescription;"

Recommend that the amendments be concurred in, and that when so amended, the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 259 (file No. 248), entitled

A bill authorizing the appointment of certain officers for the Supreme Court;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 149 (file No. 135), entitled

A bill to amend section 2 of Act No. 264 of the Public Acts of 1889, entitled "An act relative to disorderly persons and to repeal chapter 53 of the Compiled Laws of 1871, as amended by the several acts amendatory thereof," approved July 5, 1899, as amended by Act No. 190 of the Public Acts of 1895, entitled "An act to amend section 2 of Act No.

264 of the Public Acts of 1889, entitled 'An act relative to disorderly persons and to repeal chapter 53 of the Compiled Laws of 1871, as amended by the several acts amendatory thereof,' approved July 5, 1889, the same being section 1997 of Howell's Annotated Statutes, and to add a new section thereto to stand as section 6," approved May 22, 1895, the same being compiler's section 5924, of the Compiled Laws of 1897;

With the following amendment thereto:

By striking out of line 11 of section 2 the words "sixty-five" and inserting in lieu thereof the word "thirty;"

Recommend that the amendment be concurred in, and that when so amended, the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Education and Public Schools:

The Committee on Education and Public Schools reports

Senate bill No. 184 (file No. 168), entitled

A bill in relation to the boundaries of school districts in cities;

With the following amendments thereto:

1. By inserting in line 10 of section 1 after the word "thereof" the words "it shall be the duty of said board to elect four of its members as a committee to meet with the proper township board in the joint meeting herein authorized."

2. By inserting in line 14 of section 1 after the word "the" the words "committee of the."

3. By inserting in line 19 of section 1 after the word "the" the words "committee representing the."

4. By inserting in line 21 of section 1 after the word "board" the words "or committee."

5. By inserting in line 22 of section 1 after the word "boards" the words "and committee."

6. By striking out of line 1 of section 2 the word "person" and inserting in lieu thereof the word "persons."

7. By striking out of line 2 of section 2 the word "desires" and inserting in lieu thereof the word "desire;"

Recommend that the amendments be concurred in, and that when so amended, the bill pass.

GEO. G. SCOTT,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Scott moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Counties and Townships:
The Committee on Counties and Townships reports
Senate bill No. 236 (file No. 225), entitled

A bill to limit the personal responsibility of city, township and county treasurers;

With the following amendments thereto:

1. By inserting in line 2 of section 1 after the word "township" the words "village, school district."

2. By inserting in line 4 of section 1 after the word "township" the words "village treasurer of the village, treasurer of the school district."

3. By inserting in line 6 of section 1 after the words "township treasurer" the words "village treasurer, school district treasurer."

4. By inserting in line 10 of section 1 after the word "township" the words "village, school district."

5. By inserting in line 14 of section 1 after the word "township" the words "village, school district."

6. By inserting in line 16 of section 1 after the word "township" the words "the board of trustees of the village, the school board of the school district;"

Recommend that the amendments be concurred in, and that when so amended, the bill pass.

CHAS. E. WHITE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. White moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Counties and Townships:

The Committee on Counties and Townships reports
House bill No. 301 (file No. 146), entitled

A bill to amend section 3 of chapter 16 of the Revised Statutes of 1846, entitled "Of the powers and duties of townships and election and duties of township officers," the same being section 2269 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

CHAS. E. WHITE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Counties and Townships:

The Committee on Counties and Townships reports
House bill No. 117 (file No. 147), entitled

A bill to amend sections 19 and 21 of chapter 18 of the Revised Statutes of 1846, entitled "Of fences and fence viewers; of pounds and the im-

pounding of cattle," being compiler's sections 2433 and 2435 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

CHAS. E. WHITE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Counties and Townships:

The Committee on Counties and Townships reports

Senate bill No. 253 (file No. 242), entitled

A bill to authorize township boards to grant the right to use the highways, streets, alleys and other public places of any township for poles, wires, pipes or conduits, or tracks for railways and to operate and maintain the same;

With the recommendation that the bill pass.

CHAS. E. WHITE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Counties and Townships:

The Committee on Counties and Townships reports

Senate bill No. 252 (file No. 241), entitled

A bill to authorize townships to grant public utility franchises and to provide for the submission of such grants to the electors for confirmation;

With the following amendments thereto:

1. By inserting in line 5 of section 1 after the word "same" the words "and the right to transact a local business in such township."

2. By inserting in line 7 of section 4 after the word "election" the words "and shall at the same time pay the township board such a sum of money as shall be sufficient in the opinion of said board to defray the expense of said special election;"

Recommend that the amendments be concurred in, and that when so amended, the bill pass.

CHAS. E. WHITE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. White moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on University:

The Committee on University reports

Senate bill No. 165 (file No. 148), entitled

A bill making appropriations for the State Psychopathic Hospital

at the University of Michigan at Ann Arbor, for building and special purposes for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same;

With the following amendments thereto:

1. By striking out of line 2 of section 1 the figures "1910" and inserting in lieu thereof the figures "1911."

2. By striking out of line 4 of section 1 the word "partial."

3. By striking out of line 6 of section 1 the figures "1910" and inserting in lieu thereof the figures "1911."

4. By striking out all of section 2.

5. By striking out of line 1 of section 3 the words "several sums" and inserting in lieu thereof the word "sum."

6. By striking out of line 2 of section 4 the figures "1909" and inserting in lieu thereof the figures "1910."

7. By striking out of lines 2 and 3 of section 4 the words and figures "and for the year 1910 fifty-five thousand dollars."

8. By renumbering sections 3 and 4 to stand as sections 2 and 3;

Recommend that the amendments be concurred in, and that when so amended the bill be referred to the Committee on Finance and Appropriations.

WALTER R. TAYLOR,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Taylor moved that the Senate concur in the amendments and in the recommendation of the committee that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed and the bill was so referred.

By the Committee on University:

The Committee on University reports

House bill No. 341 (file No. 171), entitled

A bill to provide for securing and transporting unclaimed dead human bodies to be used for dissection in the advancement of science;

With the following amendments thereto:

1. By striking out of line 37 of section 1 the word "delivery" and inserting in lieu thereof the words "railway company."

2. By striking out of line 68 of section 1 the word "by" and inserting in lieu thereof the word "of;"

Recommend that the amendments be concurred in, and that when so amended, the bill pass.

WALTER R. TAYLOR,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Taylor moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Liquor Traffic:

The Committee on Liquor Traffic reports

Senate bill No. 78 (file No. 69), entitled

A bill to prohibit the furnishing or giving away of food without charge in any place in this State where malt, brewed, fermented, vinous or intoxicating liquors are sold at retail;

Without recommendation.

WALTER R. TAYLOR,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Gaming Interests:

The Committee on Gaming Interests reports

Senate bill No. 261 (file No. 250), entitled

A bill for the protection of Virginia partridge, commonly called quail, and pinnated grouse, commonly called prairie chicken, within the State of Michigan;

With the following amendment thereto:

By inserting in line 3 of section 2 after the word "chicken" the words "spruce hen or Canada grouse;"

Recommend that the amendment be concurred in, and that when so amended, the bill pass.

L. WHITNEY WATKINS,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Watkins moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Elections:

The Committee on Elections reports

Senate bill No. 62 (file No. 57), entitled

A bill to regulate campaign expenditures and expenses, and contributions to campaign funds, and to require accounts thereof to be kept and filed, and reports thereof to be made;

Without recommendation.

L. D. DICKINSON,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 209 (file No. 195), entitled

A bill to provide that decrees of divorce shall make provision in

satisfaction of the claims of the wife in the property of the husband, to change the tenure of lands owned by husband and wife in case of divorce and to provide for the disposition or partition of such lands or the proceeds thereof;

With the recommendation that the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Horticulture:

The Committee on Horticulture reports

House bill No. 130 (file No. 155), entitled

A bill making appropriations for the Michigan State Horticultural Society for the fiscal years ending June 30, 1910, and June 30, 1911, for the purposes of promoting the horticultural interests of the State and the editing and compiling of reports, and to provide a tax to meet the same;

With the recommendation that the bill be referred to the Committee on Finance and Appropriations.

E. N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Bates moved that the Senate concur in the recommendation of the committee that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed and the bill was so referred.

REPORTS OF SELECT COMMITTEES.

REPORT OF THE SELECT COMMITTEE ON INVESTIGATION OF WATERWAYS OF THE STATE.

To the Senate of the State of Michigan:

Gentlemen:—We transmit to you herewith our report and recommendation made under the resolutions of both House and Senate creating committees to investigate the waterpower situation in the State. Although the appointment of the two committees was without official concurrence they have, while preserving their individual identity, worked in unison and perfect harmony, as a joint body. While the importance and scope of the subject is such as to have justified in our opinion, the use of more time and effort, it is believed the results obtained will be of much present value and a substantial basis for future action by your honorable body. To this end the committee suggests

that the information gathered should be preserved in some accessible form that it may be available for reference whenever further consideration of the subject is desired.

Respectfully submitted,
N. O. WARD,
JNO. N. ANHUT,
JAMES E. WETER,
Select Committee.

Mr. Smith moved that the report be received and spread at length in the Journal.

The motion prevailed.

The following is the report:

DEVELOPED POWER.

On so good authority as Prof. M. C. Layton of the National Geological Survey, there is developed up to date in Michigan approximately 221,000 h. p. which is included in 662 developed powers using 1,580 water wheels of an average of 140 h. p. per wheel, which is 20 h. p. per wheel larger than the average installation in Maine, a prominent water power state. The use of this water power means a saving of upwards of two million tons of coal per year. If the other 300,000 h. p. used in Michigan exclusive of railroad locomotives were changed to water power, the saving to the coal supply would be five and one-half million tons annually, the value of which after deducting 20 per cent allowance for power not susceptible to conversion to water power, would be a saving for which there is no draft to be charged to any natural resource of 4,400,000 tons of coal worth approximately \$13,200,000. Computing the value of 440,000 h. p. water power output for which there now exists a demand that can be supplied at the moderate price of \$12, the excess cost of steam over water power, and we have the startling sum of \$5,200,000 excess expense which the people of Michigan are annually paying for the privilege of depleting the coal resources of the country.

UNDEVELOPED POWER.

The available water power supply of the State still undeveloped, depends somewhat on the methods that are obtained in coming years in utilizing it to its fullest extent. The best authorities hold that storage reservoirs in the Lower Peninsula are with few exceptions unfeasible. If such were not the case it would be possible to greatly augment the volume of water power by a storage of water during flood times, and using it when the flood is reduced, thereby maintaining an average much above that by which the capacity of the streams must now necessarily be gauged.

There are many streams which yield comparatively a small run off on account of the relatively low rainfall and the high vapors induced by the flat sandy soil and the cultural conditions. These small streams, many of them so unimportant as to perhaps never justify

independent development, will by the new methods, eventually be brought into use to the last horse power. A stream that will develop even 50 horse power will be connected by a wire with a trunk line of some larger development, or a half dozen small streams may be harnessed together to make one power, by a simple running of wire.

On this basis a careful estimate would place the still undeveloped power of the State somewhere around 400,000 horse power. At the present time, the development is not up to the demand but the rate at which it is increasing would indicate that within 10 years it will be possible to convert seventy-five per cent of the present steam power of the State to water power, and then the power development would no doubt keep pace with the industrial needs. On the basis of the present conditions, and assuming that this estimate of available power is correct, the water power of this State will eventually save more than 12,000,000 tons of coal annually, the value of which would be in excess of \$40,000,000, and a saving of the coal supply through the difference in cost of generating steam power and water power would be about \$16,000,000 per year in this State alone.

The principal streams of the State upon which further developments are now under consideration, are as follows: St. Joseph, Saginaw, Kalamazoo, Muskegon, Manistee, Thunder Bay, Grand River, Cheboygan, AuSable, Manistique, Menominee, Escanaba, Dead, Carp, Brule. Michigamme, Pine, Sturgeon, Pike, Cedar, Paint, Iron, Mitchiken, Little Portage, Crockery Creek, AuGres, Tawas, Black, Ocqueoc, Rainy, Indian, White and Rifle rivers.

THE FLOWAGE PROBLEM AND LOCAL BENEFITS.

One of the great difficulties in the way of development of the water powers of the State is that of securing the flowage rights on an equitable basis. In many cases these rights have been picked up for a mere trifle, usually through representations of promoters that the general community would be benefited by their utilization for water power purposes. In other cases individual owners, of possibly only a few acres, holding under the law the key to the situation, have attempted to extort exorbitant prices for those rights and in some cases have succeeded.

On the other hand the possession of flowage rights of any power site held in fee simple, or under option, have put the holders in a position to prevent development by any other interests, and have thus forced the Board of Supervisors to grant permits to dam under terms far short of protecting the county. As illustrating the first proposition we cite the situation in Houghton county, where local business men, desirous of developing the power of Sturgeon River for general use in the county where it is much needed, secured nine-tenths of the flowage rights and were then held up by interests owning the other tenth, who demanded five-sixths of the whole for relinquishing their one-tenth. Naturally this put an end to all negotiations with the result that the county is the sufferer.

These conditions seem to indicate that equity would demand for water power companies the right of eminent domain, but a law having

been passed to that effect in 1887 and afterward declared unconstitutional, and no change having been made in the new constitution, the Legislature is helpless to offer any relief for this situation which, as much as anything else, is retarding the development of water power in the State. Certain water power interests, if it were possible to avail themselves of the right of eminent domain, would be able to work out reservoir projects, especially in the Upper Peninsula, which would result in a great many cases in sustaining the average flow and give a new and higher rating to water power capacity of many streams.

Under the new proposition of transmitting electricity as high as 200 miles, it is not to be expected that local industrial development in remote counties will be to any great extent advanced by the development of their water power. An illustration is that of the Eastern Michigan Power Company, operating on the AuSable River which company now has nearly 200 township rights and the right-of-way into such cities as Saginaw, Bay City, Owosso, and Flint, with the eventual terminal at Detroit. Trunk lines of this company for transmission of electricity will indicate the highest standard of conductivity and insulation. The wire will be carried on steel poles 52 feet high, of the tripod type, 18 feet clearance between the legs and each leg will be imbedded in a post of re-enforced concrete. Into this trunk line will be eventually connected transmission lines from the smaller streams and powers in the entire section of the State in which they operate, so that as the branch lines of a railroad are feeders of the main line, so will the smaller rivers, unimportant in themselves, contribute their share to the main current of electricity and altogether generate an economical and effectual immense volume of power. Unquestionably more good can be accomplished in this way than in the operation of each power singly, but as before mentioned it cannot be expected that large institutions will move to remote localities where labor would be difficult to secure and where transportation facilities are meager when they can just as well remain in some commercial centre, where by removing a brick from the wall of their factory, a wire can be run in and their machinery put in motion.

PRESENT ACTIVITY.

Renewed activity in water power development is apparent in various portions of the State. In Manistee, Alpena and Houghton counties, permits to dam are being asked for and the county officials and supervisors have been in communication with the committee, relative to conditions to be imposed for the best interests of the county, showing plainly the awakening that has followed the discussion and examinations by the committee.

In Mecosta county the supervisors have made a thorough and comprehensive investigation on their own account and are now proceeding against the operating company to compel it to forfeit its franchises for non-fulfillment of contract, and the result of their efforts is being watched with great interest by other counties.

In this case the grant given the company required the completion of three dams by April 1, 1909, and the company has erected but one. As the current is being almost all sent out of the county, the supervisors deem this a favorable time to re-adjust their contract so as to secure greater local benefits.

WATER POWER CONTROL IN OTHER COUNTRIES.

The policy which Michigan, in common with all other parts of the United States, has followed regarding water powers, has been that of granting them freely to any responsible applicant. No attempt has been made to secure revenue to the State from them, and, until recently, nothing has been done to secure for the public any regulation of charges for power, or indeed to secure the public in any way. This neglect has been entirely natural, for it is only recently that the great value of water powers has become evident. It is now plain that their value is not only great but rapidly increasing, and that the coming decade will witness an enormous rise in the demand for water powers, not only on the part of the manufacturers, but also from municipalities and from quasi-public corporations, which will seek franchises in order to develop and retail power, which may be distributed to great distances.

The questions concerning the regulation of water powers and of water power franchises are, therefore, on the one hand pressing for a rapid solution as the value of the powers is well understood, and capital is seeking their control. On the other hand, the settlement of these questions is rendered extremely difficult by the almost total absence of experience with them, and the equal absence of any habit of mind or fixed opinion regarding them on the part of the public. Water powers have been treated as if they had no value to the public, and have been given away as the public lands were a generation ago. Now we suddenly awaken to the fact that these water powers are the most valuable possessions remaining to the State, and the problems of their control and utilization must be settled now, if ever.

The question of the control of water powers is further complicated by their relation to the industrial development of the State and its increase in wealth and population. The development and utilization of water power tends to cause a great and permanent increase in all these important matters. The State, therefore, cannot adopt a policy which will check industrial development even though it should promise great returns in the future. In the same way the free land and cheap land of a generation ago aided greatly in promoting the rapid settlement and increase of population and of wealth. Yet this does not blind us, as we look back on the history of the past, to the fact that the public lands could have been so treated as to produce more good to the State and nation than they actually yielded. And in the same way the water powers can be and should be so handled by the State as to save for the public all the value possible and provide for the largest possible returns to the commonwealth, without checking individual enterprise or the development of manufactories.

The best policy, if our constitution permitted, would be that of leasing the right to develop water powers. This policy is commonly car-

ried out in Europe. It appears that in practically all countries of Europe concessions for the use of water powers are granted either by the central or by the local government, and on terms which vary widely according to locality. The concession is the expression of an agreement between the government and the industrial concern and returns for the concession may be made in various forms, such as rental, a fixed payment, or an agreement to furnish power at certain rates for public purposes.

The Monthly Consular and Trade Reports for January, 1909, contains information from consuls regarding certain points of regulation of water powers in Europe. Switzerland is taking care of the enormous resources of power generated by the streams from the Alps. The Canton of Berne leases water powers to applicants for the term of 50 years, the lease being renewable for two additional terms of twenty-five years each. Companies seeking franchises pay a concession fee of 60 cents to \$1.60 per horse power according to the size of the enterprise. They pay, also, a graded impost on each average horse power used during the year of 20 to 60 cents. They are taxed on the value of their property on the same rate as other property, and the horse power is rated at a taxable value of \$180.00 to \$300.00. If the concession is not renewed at the end of 50 years, the Canton must pay the value of land, buildings, machinery, etc. At the end of 100 years the lands only need be taken, but if the machinery is then taken by the Canton, it must be paid for.

The government of Norway has recently proposed to the Legislature the granting of two concessions to a company which proposes to develop 60,000 to 70,000 horse power. Besides various agreements as to the use of power for public purposes, etc., the company pays about 27 cents per horse power annually on all power created by its improvements. At the end of 75 years the concession expires and the plants revert to the State.

These are the examples of recent European legislation on this subject. The essential points are, a lease by the State of the right to develop water power for a long term of years with a low rental, and the right of renewal and of revaluation at the close of the term. This policy preserves to the State in the future the right to receive an equitable share in the certain rise of value of such property and the moderate charges made at present are so low that they do not place any check on the present development in the use of water powers.

CONSOLIDATION OF POWER COMPANIES.

An estimate of the water power, developed and potential, now controlled in the United States, by the General Electric interests, admitted or sufficiently proven, is about 252,000 h. p.; by the Westinghouse interests, similarly known, about 180,000 h. p.; and by other large power companies, 875,000 h. p. This makes a total of 1,307,000 h. p. Adding to the horse powers whose connection with those two great interests is at least probable, to wit, 520,000 h. p., we have a small group of 13 selected companies or interests controlling a total of 1,827,000 h. p.

Assuming that the water power at present in use by water power

plants in the United States is 5,300,000 h. p., as estimated by the United States census and Geological Survey from figures of installation, it is seen that approximately a quantity of horse-power equal to more than 33 per cent of that amount is now probably controlled by this small group of interests. Furthermore, this percentage by no means tells the whole truth. The foregoing powers naturally represent a majority of the best power sites. These sites are strategic points for large power and market control. Poorer sites will not generally be developed until these strategic sites are developed to their full capacity. And should these strategic sites be "coupled up" they become still more strategic. There are powerful economic reasons for such coupling. The great problem of water power companies is that of the "uneven load," and not only an "uneven load," but of an uneven source of power, because of the fluctuating flow of the stream. A "coupling up" utilizes not only the different storages in the same drainage basin, but of still greater import, the different drainage flows of different basins. Also by "coupling up," powers which have largely "day loads," can at night help out other powers which have largely "night loads" and vice versa. "Coupling up" is in rapid progress in the United States. The Niagara Falls Power Company and the Canadian Niagara Power Company are coupled. The Southern Power Company in North Carolina and South Carolina; the Commonwealth Power Company in Michigan; the Pacific Gas and Electric Company, the Pacific Light and Power Company and the Edison Electric Company, in California—each concern has its various developments "coupled up" in one unit.

The economic reasons urging water power concentration are thus obvious. The facts set forth above show the very rapid and very recent concentration that has already occurred, practically all in the last five years. These economic reasons and business facts indicate clearly the further progress toward concentration that is likely to occur in the near future. It is obvious that the effect on the public of such present and future conditions is a matter for serious public consideration.

COST OF LONG TRANSMISSION.

A recent advance is noted in transmission of voltage by the placing in service a 110,000 volt line in this State, known as the Muskegon line, which is capable of transmitting current 280 miles. There is no doubt that the time is not far distant when 200,000 volts and 500 miles transmission will be entirely practicable. Such transmission however is only available for large outputs of a number of plants along the same river and on one trunk transmission line.

At the present price of copper these lines will cost \$1,500 to \$2,000 per mile and the total transmission investment not exceeding \$25.00 per k. w. delivered making annual charges, including interest, maintenance, depreciation and operation, about \$5.00 per k. w., or less than two-tenths of a cent per k. w. hour on 3000 hour service.

THE DANGER OF BIG POWER DEVELOPMENT.

The danger of these big power developments lies in two directions. The first is that they will be made the basis for speculation and for over-capitalization. The check upon this, which can be most promptly applied, is by way of taxation. It might be provided that such developments may be taxed either upon their assessed value, or upon the sum total of all the securities issued against them, at the option of the State Board of Tax Commissioners. This differs from the special water power tax law which applies to the St. Mary's River power plant, because there, a water power company is allowed to pay on its assessed value, or to pay a specified tax of one per cent on its capital stock. The effect of the St. Mary's River tax was that the Michigan Lake Superior Power Company put out two issues of bonds which they are believed to have sold at much less than par and which certainly exceed the reasonable value of the property, but the capital stock was kept down to half a million dollars in order that the tax should be kept down.

The other danger is that the transmission of electric power to larger cities may encourage the congestion of population in centers of population and, because there is no power furnished where the water power is developed, prevent the growing up of small communities and the increase of population of existing villages. The interests of State and nation are best served by the prosperity of the farmers and the small communities, and are not served at all by the continual flocking of people to city slums. If electric transmission had not been invented, manufacturers who wished cheap power would have had to build their factories along the streams where there are waterfalls, and their employes would have been housed and their children educated under good conditions of country life. Therefore it should be required that an industry located at the powerhouse, or in the same county as the power house, should be furnished with power at least as cheaply as power is sold at the far end of the transmission line, and that a new industry on reasonable notice, should be given power, even if that amount of power had to be cut off from the distant city. These companies should be required to make their contracts for supply to distant cities subject to the call of home industries. It is only fair that the water power in a county should be developed for the benefit of that county, and only its surplus sent to a distant market.

It should also be required that reasonable terms be made for service to small communities or to farmers along a transmission line. The Michigan Railroad Commission might be made the judge of reasonable terms.

NO WATER POWER SHOULD BE SOLD PERMANENTLY.

Another thing that should be required is that no board of supervisors be allowed to accept a flat price for a final consent to the building of a dam. The price should be in the form of an annual rental, and it should be subject to revision every ten years. This would allow a board of supervisors to charge a very small rental during the time that the dam was being financed and built, and a larger rental after the

business began to pay. Also it would allow the supervisors to reduce the rental, if the power was being used at home, and to increase it if it was all being transmitted to a distant city. These things would be in conformity with the constitutional principle of home rule, and the theory that the community first owning the power should have the first call in its benefits. They will also conform to the recommendations of President Roosevelt, that no water power should be sold permanently but should be leased so that the community at large could share in the benefit of increased values that come with time.

TAXATION.

One of the most important matters which the committee has considered and enquired into in connection with this investigation is that of taxation, and it occasions no surprise to find that the various water power companies are being assessed on practically a "go as you please" system. In some counties a fair and equitable valuation has been placed upon their property, and in others an assessment equaling only a fractional valuation has been levied. The same arguments that have prevailed with Boards of Supervisors in granting permits to dam under terms which failed to safeguard the rights of counties have obtained in keeping down assessments for taxing purposes, and up to this time the tax law has offered no relief for even the most flagrant and equitable methods that have been applied. It is obvious, however, especially in remote counties, that the chief local benefits that will be received from the development of the water power must be derived from the taxes that the companies will be required to pay.

The efforts of the committee to devise means of bringing about the proper adjustment of this situation have, in a large measure, been relieved by the enactment, during the present session of the Legislature, of the amendment to the tax law introduced by Representative Copley, which, in a large measure, restores the authority of the tax commission to review assessments on complaints of any taxpayer in the State. This places the people in a position to secure their rights, and the neglect to do so is a responsibility which they, in the future, must assume for themselves. It is, however, safe to predict that the railroads and other common carriers who are assessed directly by the tax commission, will see to it in their own interests, that other property in the State pays a just proportion of taxation, which incidentally, will solve the water power problem for the various counties interested.

Concerning the repeal of the special act granting the elective right of specific tax to waterpower companies, it may be said that the law is operative only at Sault Ste. Marie. It is admitted that the act was intended to cover the construction and financing periods of the big water power companies located there and it is claimed that owing to forced re-organizations, a condition similar to that which caused the law to be enacted has recurred. Locally, however, sentiment on this subject is divided and while it would seem that if the State was ever justified in passing the act it would be justified in allowing it to cover the re-organization period. Eventually the law must be repealed, but

in view of the fact that a bill for its repeal is now before the Committee on Private Corporations and the question is receiving thorough consideration, your committee leaves the matter of recommendation to that committee.

MUNICIPAL OWNERSHIP OF WATER POWER.

Municipalities themselves, have as yet given little attention to ownership and operation of water power plants. The most notable example of the State is that of the City of Marquette which a number of years ago established a power on Dead River for the purpose of lighting the city and furnishing the power locally. While the earlier experiments of the company were not at all times encouraging, the confidence and persistency of the advocates of the plan have long since been rewarded with complete success, with the result that from this comparatively small plant the City of Marquette in 1908 received a net revenue of \$29,287.58, and has succeeded in reducing the rate to private consumers far below the charge when the electricity was generated by steam. The total collections for light and power in 1908 were \$55,107.19, of which the city paid for its public lighting, stone crushing, and other purposes for which it required power, \$10,583.14. For electric motors owned by private parties a total of 365 actual maximum horse power was used, the revenue for which was \$4,590.53.

From the above it is apparent that any city having a water power in its immediate vicinity would find it profitable to undertake its development rather than continue the use of steam. It is however claimed that if water power is available, supplied by some corporation engaged in operating water power on a large scale, it would be as economical to make use of such power as for the city itself to engage in the development for the reason that the natural advantage of the reduction of price would accrue without the city making investments which, owing to the varying conditions of different localities, might be construed as experimental.

WATERPOWER AND COMPRESSED AIR.

An interesting development of the enquiry in the Upper Peninsula resulted from the Victoria Mine and Stamp Mill which is operated by water power from the Ontonagon River. By an unusual type of equipment, the fall in the river at this point is quite strong and the water is conducted by a race about a quarter of a mile below the dam where it pours into a six-foot standpipe 350 feet deep, and by the syphon principle is raised. The force of the descending water heats the air, causing compression and greatly augmenting the power. Compressed air is used in the operation of the mine, and the plan, which was the idea of Captain Hooper, the manager, is admirably suited to the requirements at Victoria.

While this system is not adapted to all situations at any place where the proper river fall is available and the compressed air is required, it is a remarkable and economic revelation well worth the attention of all who may be interested.

DEEP WATERWAY CANAL.

The agitation of the deep waterway canal between Saginaw Bay and Lake Michigan embodying the deepening and widening of the Grand, Maple, Shiawassee and Saginaw Rivers seems to be worthy of consideration in connection with the report of the undeveloped water power of the State.

It is contemplated in the consideration of this waterway for transportation that incidentally some 50,000 horse power will be developed and made available for a transmission, and roughly estimated this power would be worth about \$600,000 annual revenue. This project is still in its infancy but the prediction is made that at no distant time we may see its consummation.

On this subject we append a statement submitted by Charles S. Hathaway, secretary of the Grand-Saginaw Valley Deep Waterway Association, which we deem important in this report. It is as follows:

"To the Honorable, The Select Committee on Investigation of Waterways.

Gentlemen:—Giving consideration to the propaganda which, during the past five months has been conducted and which is still being administered by a voluntary organization known as the Grand-Saginaw Valley Deep Waterway Association, it is found that the improvement contemplates,—a canalized waterway 21 feet deep and 200 feet wide from Grand Haven on Lake Michigan to Saginaw Bay—embodies the deepening and widening of the present beds and channels of the Grand, the Maple, the Bad, the Shiawassee and the Saginaw Rivers, and an excavation through a three mile crest of the land summit between the Maple and the Bad Rivers.

Data furnished by the Michigan Geological Survey develops a sketch profile of this route, with lake level channels from Grand Haven to Grand Rapids on the west and from Saginaw Bay to St. Charles on the east; so that, in fact, the artificial slack-water levels, three in number, will aggregate a total of only 99 miles, with the summit level, 49 miles in length, located between the City of Ionia and the village of Brant.

This summit level will be supplied with the flowage of approximately 3,000 square miles of territory; which will be controlled by dams and conservation basins located at strategic points on the upper stretches of the Grand River, and at or near the mouths of the Red Cedar and the Lookingglass Rivers; also at or near the mouths of the streams tributary to the Maple River.

This improvement, realized, will increase the water power capacity now held by two companies—at Grand Rapids about 100 per cent; it will develop an entirely new power of equal capacity at St. Charles and it will develop, also, similar water powers—as yet undeveloped—at Ionia and at Brant, respectively.

The flowage rights for each one of these prospective privileges, are already owned by private parties; as is the case in regard to possible developments at the mouths of the Lookingglass and the Red Cedar Rivers.

Other dams and co-ordinate conservation basins will be necessary in the Tittabawassee, Shiawassee, Flint and Cass Rivers, above the

Saginaw River; and in the Flat, the Thornapple and the Rogue Rivers, below Saranac; not so much for purposes of navigation as for the conservation of power and as protection against damage by inundation. And, as in the other instances, the flowage right for these prospective improvements are owned by private individuals or corporations.

It must be considered, in conjunction with such ownerships of flowage rights, however, that the proposed locations of conservation basins—15 or more in number—have not yet been designated and may not be until the completion of the topographic survey desired. Thus the State may secure all rights in relation thereto, which will include fish culture and ice cutting, both of which (according to estimates by the authorities of Illinois, in relation to similar rights developed by the Chicago canal) will yield annually, very considerable incomes.

It is estimated that by the construction of this waterway, swamp lands will be reclaimed as follows:

Five thousand acres in Ionia county; 6,200 acres in Clinton county; 1,800 acres in Gratiot county and 6,150 acres in Saginaw county, or a total of 29,150 acres.

In this connection it is reported that large areas of this land are already owned by corporations and individuals who have secured them because of the known large deposits of good coking coal in certain parts of the territory indicated.

The construction of the proposed waterway will forever remove all danger to property along the proposed route and throughout the entire watershed thereof, from floods;—a loss which, during the past five years, has averaged over one million dollars per year.

For these reasons the Grand-Saginaw Valley Deep Waterway Association most earnestly urges the completion at the earliest time possible, of a topographic survey of the entire Lower Peninsula of Michigan and that such a survey of the proposed waterway and its watersheds, be made as the initial step in that direction.

In this, the Association named is supported by formal, official approval, by the Board of Scientific Advisers of the Michigan Geological Survey and by the Michigan State Association of Civil Engineers, as a necessary, economical and rational reconnaissance, preliminary to attaining the ends aimed at by the Forestry Board, the Good Roads Department and the Conservation Commission of the State of Michigan.

Respectfully submitted,

CHARLES S. HATHAWAY,

Secretary Grand-Saginaw Valley Deep Waterway Ass'n.

RIGHTS OF THE STATE.

The Attorney General of Michigan, holding that the constitution is a limitation on the powers of the Legislature, has answered for the committee three questions, chief of which is: "Has the Legislature or State any power to interfere with the action of boards of supervisors in granting permission to dam, or any power to review such action, when it is apparent that it is dangerously near a violation of the spirit of the constitution?"

The answer to this question found in the appended opinion betrays the weakness of the constitution.

The other two questions bearing on the right of the State to regulate rates of water power companies, and to review assessments for taxation, are answered favorably to the public and point the only immediate results that the committee can claim for its labors. If we are to regulate indiscreet and careless boards of supervisors, restrictions of the constitution on that point must be relaxed by a vote of the people.

ATTORNEY GENERAL'S OPINION.

March 23, 1909.

Committee on Investigation of Waterways, Hon. D. Z. Curtiss, Chairman, House of Representatives, Capitol, Lansing, Michigan.

Gentlemen:—I have given some attention to the matters submitted by you with reference to the authority of the State over water power companies and in reply thereto beg leave to submit that in my opinion the right of the State to regulate the business of water power companies is well established by the authorities and may be based upon at least two well recognized principles, viz.: That these companies are enjoying an exceptional use of public property and a public easement, viz., the public waters of the State; and also that the business conducted by them is so affected with a public interest as to warrant State regulation and control of their operations.

Cooley's Constitutional Law, p. 259,

Fruend's Police Power, Sec. 373,

Munn v. Ill., 94 U. S. 113,

Brass v. Stoesser, 153 U. S. 391,

Nash v. Page, 80 Ky. 535,

Central Union Telephone Co. v. State, 118 Ind. 194.

As to the regulation of rates and charges under the revised constitution will say that Section 7 of Article XII provides:

"The Legislature may, from time to time, pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on different railroads in this State, and may pass laws establishing reasonable maximum rates of charges for the transportation of property by express companies in this State, and may delegate such power to fix reasonable maximum rates of charges for the transportation of freight by railroad companies and for the transportation of property by express companies to a commission created by law" etc.

While this provision was designed to give express authority to the Railroad Commission to regulate freight and express charges, it by no means follows that the regulation of the charges of other public utility corporations is impliedly prohibited. The constitution of this State is a limitation upon the power of the Legislature and the Legislature has jurisdiction to legislate upon all subjects on which legislation is not prohibited.

Cooley's Constitutional Limitations, 7 Ed. 241,

Atty. Gen. v. Preston, 56 Mich. 177,

State Tax Law cases, 45 Mich. 389,

People v. Lawrence, 54 Barb. 589.

I cannot see any reason, therefore, why the Legislature cannot delegate to the Railroad Commission by a proper statutory authority power to reasonably regulate the business of water power companies, including the regulation of rates.

Passing to the question of the right of the courts to review the decision of the board of supervisors made under the provisions of Section 14 of Article VIII of the revised constitution, will say that this article provides:

"No navigable stream of this State shall be either bridged or dammed without permission granted by the board of supervisors of the county under the provisions of law, which permission shall be subject to such reasonable compensation and other conditions as may seem best suited to safeguard the rights and interests of the county and the municipalities therein. No such law shall preclude the State from improving the navigation of any such stream, nor prejudice the right of individuals to the free navigation thereof."

It will be noted that under this constitutional provision the right to determine the compensation and prescribe the conditions connected with the grant is intrusted to the board of supervisors and it is well settled that where a board is intrusted with a discretion, this discretion will not be interfered with unless it is fraudulently exercised. I am, therefore, of the opinion that the action of the board of supervisors in determining what shall be reasonable compensation for a grant of water power privileges cannot be reviewed by the courts unless it can be affirmatively shown that the action of the board was fraudulent or that there was a gross abuse of discretion amounting to fraud.

28 Cyc. 882,

Megus v. City of Brooklyn, 62 How. Pr. 291,

Brush Electric Illuminating Co. v. Consolidated Telegraph and Electrical Subway Co., 15 N. Y. Supp. p. 81,

Alleghany City v. Railway, 159 Pa. St. 411.

Whatever difficulties there may be relative to the local taxation of these water power companies, could easily be remedied by restoring to the Tax Commission full power to review assessments.

Very respectfully submitted,

JNO. E. BIRD,

Attorney General.

POWER FOR FUTURE GENERATIONS.

In order that the development of hydro-electric power in Michigan might be fairly considered under the preceding opinion, and the policy of the State in relation thereto unequivocally declared, to the end that the existing power may be used by the present as well as the future generations to the highest possible degree, the committee has undertaken to conduct a careful and painstaking investigation of this phase of the subject.

In England under the common law, the title of owners of land,

bordering on rivers above the ebb and flow of the tide, extends to the middle of the stream, and when the waters of the rivers are affected by the tides, the title of such owners is limited to high water mark. The common law of England at the time of the emigration of our ancestors, except so far as it is modified by the federal and State constitutions, charters, statutes and usages, is the law of this country. Supreme Court of the United States in the case of *Shively vs. Bowlby*, 152 U. S. p. 1, held that:

"The title and rights of the riparian or littoral proprietors in the soil below highwater mark of navigable waters are governed by the local laws of the several states, subject, of course, to the rights granted to the United States by the constitution."

And in the case of *Grand Rapids and Indiana Railroad Company v. Butler*, 159 U. S. p. 86, Chief Justice Fuller, speaking for the Court, said:

"In Michigan the common law prevails, and the rule is sustained by an unbroken line of authority that a grant of land bounded by a stream whether navigable in fact or not carries with it the bed of the stream to the center of the thread thereof."

RELATIVE TO NAVIGABLE STREAMS.

In England the ebb and flow of the tide constitutes the usual test of navigability of a stream. No rivers there, of any considerable extent are navigable in fact which are not subject to the tides. Some of the rivers of the United States are navigable for hundreds of miles above the limits of tide water, therefore a different test has been availed of to determine the navigability of rivers in this country, and under that test those rivers are regarded as navigable in law which are navigable in fact, and they are navigable in fact when they are used or are susceptible of being used, in their ordinary condition, as highways for commerce over which trade and travel are or may be conducted in the customary modes of trade and travel on the water.

The Supreme Court of Michigan has repeatedly held that the beds of the streams, whether navigable or not, belong to the riparian owner and subject only to navigation. The right to use the bed and the waters of the streams of the State, for all purposes, is in the riparian owner and may be exercised reasonably, with regard to the equal rights of other riparian owners.

The Constitution of Michigan,—Sec. 14, Art. VIII—provides that:

"No navigable stream of this State shall be either bridged or dammed without permission by the board of supervisors of the county under the provisions of law, which permission shall be subject to such reasonable compensation as may seem best suited to safeguard the rights and interests of the county and the municipalities."

Under these provisions, the power of the State to permit limited interference with navigation is given to the supervisors, and there is no appeal from their decision.

It has not been the policy of this State, and under the constitution of 1850 it did not have the power, and under the present constitution it has not the power, to engage in the improvement of navigation within the State by the expenditure of State funds. The present constitution,—Sec. 14, Art. X, provides that:

“The State shall not be a party to, nor be interested in any work of internal improvement, nor engage in carrying on any such work, except in the public wagon roads, in the reforestation and protection of lands owned by the State and in the expenditure of grants to the State of land or other property.”

STATE HAS NO PROPRIETARY INTEREST IN BEDS OF STREAMS OR WATERS THEREOF.

The State has no proprietary interest in the beds of the streams or the waters thereof. It has power to protect their navigability for commerce. It has no power to make any improvements in rivers in aid of the navigation thereof. It has power to authorize corporations to construct works in aid of navigation, and this power has been upheld when exercised with reference to booming companies. It is absolutely prohibited from engaging in any work which might be suggested for availing of the flow of the streams of the State for power purposes.

If space would permit we might quote the various decisions on the questions treated of in this report, but as to do so would make the report of too great length, we will content ourselves with giving a list of the cases from which we arrived at our conclusions:

Martin v. Waddell, 41 U. S. 366; The Genesee Chief v. Fitzhugh, 53 U. S. 443; Barney v. Keokuk, 94 U. S. 324; Packer v. Bird, 137 U. S. 661; Shively v. Bowlby, 152 U. S. 1; Grand Rapids and Indiana Railroad Company v. Butler, 159 U. S. 86; St. Anthony Falls Water Power Company v. Board of Water Commissioners of the City of St. Paul, 168 U. S. 347; Kaukana Water Power Company v. Green Bay & M. Canal Co., 142 U. S. 254; United States v. Rio Grande Dam & Irrigation Company, 174 U. S. 690; Lake Shore & Michigan Southern Railway Company v. Ohio, 165 U. S. 363; Keene v. Calumet Canal & Improvement Company, 190 U. S. 452; Kansas v. Colorado, 206 U. S. 47; United States v. Chandler-Dunbar Water Power Company, 209 U. S. 446; Pound v. Turk, 95 U. S. 459; Escanaba & Lake Michigan Transportation Company v. Chicago, 107 U. S. 678; Williamette Iron Bridge Company v. Hatch, 125 U. S. 1; Montgomery v. City of Portland, 190 U. S. 87; Ryan v. Brown 18 Mich. 196; Dumont v. Kellogg, 29 Mich. 420; Clay v. Penoyer Creek Improvement Company, 34 Mich. 208; Attorney General v. Evart Booming Company, 34 Mich. 461; Shepard v. Gates, 50 Mich. 493; Webber v. Pere Marquette Boom Company, 62 Mich. 626; Richards v. Peters, 70 Mich. 290; Grand Rapids v. Powers, 89 Mich. 94; Valentine v. Berrien Springs Water Power Company, 128 Mich. 280; People v. Hulbert, 131 Mich. 156.

POWER MUST BE DEVELOPED BY PRIVATE ENDEAVOR.

For reasons stated it appears to be absolutely established that if the water power of the rivers of this State is to be availed of, then the necessary work must be done by such riparian owners thereon as may be able to bring necessary experience, knowledge, labor, and capital to their development. In other words, if the water power in the rivers of the State is developed, it must be by private endeavor, enterprise and capital. While some of our citizens may wish that the State had greater power in this instance, all must realize that the most unsatisfactory, if not deplorable, chapter in the history of our State is the one dealing with its failure and the frauds perpetrated in connection with works of internal improvement carried on under the constitution prior to 1850.

Much has been said about "conserving the natural resources of the State" in connection with the power which may be availed of from the flow of its streams. The language just quoted speaks of the State's resources, but not in the sense that the State is the proprietor thereof, as it is of its public buildings and grounds, because under the laws of Michigan the usufruct of the streams of the State belongs to the owner of the land over which the streams run, as absolutely as do the minerals under the surface thereof.

We believe it should be declared to be the settled policy of the State of Michigan to encourage the development of all its latent powers and natural resources at the earliest possible moment, and that the investment of capital therein be invited by giving assurance of every opportunity to earn a fair return on such investment.

A FIXED POLICY NECESSARY.

The welfare of the people will not be conserved by embarrassing the efforts of any who are engaged or who propose to engage in developing the natural resources of the State. Any burden borne by the distributor and seller will be delivered over a burden the consumer. Michigan has contributed more than her share to the mills and manufacturing of other states, and if the power in her streams can be utilized to increase her own manufacturing interests, the quicker the better such utilization ceases to be a matter of conjecture and discussion and becomes a fixed and settled fact.

In order to make use of electricity, it must be transmitted great distances, and distributed in cities and villages, and the use of the highways becomes an absolute necessity, and thus a corporation engaged in the business becomes a public utility and amenable to the regulation of the State under its power to conserve the public welfare called its "police power." The State is vitally interested in and must conserve the health and welfare of its inhabitants, and it has not parted, and even if it should, it should not part with its power in that regard. Although hydro-electric power for manufacturing purposes must compete with steam power, the business of transmitting, distributing and selling electricity, because of natural conditions, is such that sooner or later it will, to a greater or less extent, be a monopoly; and, therefore,

the right and necessity to reasonably regulate exists. Conditions are not alike in all places and the onward march of progress is constantly working universal changes. The people are interested in knowing that electricity will be safely transmitted; that the service will be good, and that the price will be reasonable and just.

THE RIGHT TO GRANT OR DENY FRANCHISES.

Under our constitution the right to grant or deny franchises is given to the cities, villages and townships, and therefore they have the power to make contracts, but there are many rights that have heretofore been granted which, having become vested, cannot be disturbed, and these municipalities may, in the future, see that it may be wise to leave some vital questions open to State regulation, and the State never should and probably never will relinquish its power to protect the welfare of its people.

SUMMARY.

We believe, (1) that the regulation of corporations engaged in transmitting and distributing electricity and the price charged therefor are within the power of the Legislature; (2) that such powers should be exercised so as to cause no friction with the reasonable and constitutional exercise of legitimate home rule; (3) that it can be best exercised, within reasonable limits to be fixed by law, through a commission; and (4) that economy suggests availing of the Michigan Railroad Commission for that purpose.

Therefore we have submitted a bill which we recommend to your favorable consideration and which, with such reasonable amendments as your judgment may suggest, will, when enacted into law, best regulate the subject matter referred to your committee, with the greatest economy and good to the people of the State.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 364 (file No. 196), entitled

A bill to amend section 16 of Act No. 217 of the Public Acts of 1903, entitled "An act to revise and consolidate the laws organizing asylums for the insane, and to regulate the care, management and use thereof, and to provide for the apprehension of persons believed to be insane, and for their care and custody;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Asylum for Insane at Kalamazoo.

The following message from the House was also received and read:

House of Representatives,
April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 255 (file No. 109), entitled

A bill to provide for the levy and sale of equitable interests in land on execution and in attachment proceedings, and to provide rules of evidence in proceedings relating thereto;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 365 (file No. 195), entitled

A bill to require certain reports to the auditor general from the insane asylums and the Michigan Home for the Feeble-Minded and Epileptic and from the probate courts relative to insane and feeble minded persons, and to prescribe the duty of the Auditor General with reference thereto;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Home for Feeble-Minded.

The following message from the House was also received and read:

House of Representatives,
April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 376 (file No. 192), entitled

A bill to change the name of Richard Pearson Brown to Richard Hudson Pearson;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

SYDNEY D. HALL,

Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

The following message from the House was also received and read:

House of Representatives,
April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 335 (file No. 193), entitled

A bill to prevent the adulteration of linseed oil or flaxseed oil and to prevent fraud in the sale thereof and in the sale of compounds thereof, and to repeal all acts in conflict herewith;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

SYDNEY D. HALL,

Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,
April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 390 (file No. 191), entitled

A bill to provide for the submission to the qualified electors of the township of Prairieville in the county of Barry and State of Michigan the question of the relief of Kirk H. Brouard, township treasurer of the township of Prairieville in said county, from liability on account of the loss of the township funds through the failure of the Richland Union Bank of Richland, Michigan;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

SYDNEY D. HALL,

Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
April 13, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 394 (file No. 190), entitled

A bill to amend section 65 of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891, and all other acts and parts of acts in anywise contravening any of the provisions of this act," as amended, the same being section 3888 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Taxation.

The following message from the House was also received and read:

House of Representatives,
April 13, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 136 (file No. 189), entitled

A bill to amend sections 29 and 42 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," as amended, the same being compiler's sections 6118 and 6131 of the compiled laws of 1897, and to add three new sections thereto to stand as sections 12a, 29a and 55a;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Banks and Corporations.

The following message from the House was also received and read:

House of Representatives,
April 13, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 44 (file No. 187), entitled

A bill to promote the safety of employes and passengers upon street railways;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Labor Interests.

The following message from the House was also received and read:

House of Representatives,
April 13, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 250 (file No. 186), entitled

A bill in relation to the disease of rabies among dogs, to provide for the payment of certain damages for domestic animals infected with rabies by dogs and to provide penalties for the violations of this act;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,
April 13, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 379 (file No. 185), entitled

A bill to amend Act No. 73 of the Public Acts of 1903, entitled "An act to amend section 25 of Act No. 257 of the Public Acts of 1899, entitled 'An act to amend section 25 of Act No. 137 of the Session Laws of 1849, as amended, relative to authorizing proceedings against garnishees, and for other purposes,' as amended, being section 8055 of Howell's Annotated Statutes, as amended by Act No. 178 of the Public Acts of 1891, the same being compiler's section 1014 of the Compiled Laws of 1897, and to add two new sections thereto, to stand as sections 25a and 25b;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

SYDNEY D. HALL,

Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
April 13, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 378 (file No. 184), entitled

A bill to amend section 1 of Act No. 137 of the Session Laws of 1849, entitled "An act to authorize proceedings against garnishees, and for other purposes," being section 990 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

SYDNEY D. HALL,

Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
April 13, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 261 (file No. 181), entitled

A bill to authorize township boards of health to receive and hold any property, real or personal, left to said board in trust for the upkeep of any cemetery or lots therein, and permitting said board to expend such funds in accordance with the provisions of such trust;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

SYDNEY D. HALL,

Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,
April 13, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 363 (file No. 178), entitled

A bill to amend section 96 of Act No. 206 of the Public Acts of 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied, making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased, and to repeal Act No. 200 of the Public Acts of 1891, and all other acts and parts of acts in anywise contravening any of the provisions of this act," being section 3919 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

SYDNEY D. HALL,

Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Taxation.

The following message from the House was also received and read:

House of Representatives,
April 13, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 70 (file No. 175), entitled

A bill to amend section 15 of chapter 35 of the Revised Statutes of 1846, relative to the preservation of the public health, quarantine, nuisances and offensive trades, being section 1647 of Howell's Annotated Statutes as amended and being section 4424 of the Compiled Laws of 1897, as amended by Act No. 7 of the Public Acts of 1903;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

The following message from the House was also received and read:

House of Representatives,
April 13, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 362 (file No. 176), entitled

A bill to authorize the State Board of Agriculture to grant teachers' certificates in certain cases;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

The following message from the House was also received and read:

House of Representatives,
April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to re-transmit, in compliance with the request of the Senate, the following concurrent resolution:
House resolution No. 86.

Whereas, At past sessions of the Legislature, information touching the finances of the State, its income, expenditures, the amounts on hand in various funds, the amounts asked for ensuing years by the several State institutions and for the several State departments, and related matters has not been readily and conveniently accessible to the several members of the Senate and House of Representatives; and

Whereas, By reason of such want of information embarrassment has been caused in the past; therefore

Resolved by the House (the Senate concurring), That the Auditor General be and is hereby requested to tabulate, print and furnish to the members of the Senate and House of Representatives at as early a date as possible the following information:

1. Itemized statements of the sums asked for the ensuing two years by each State institution for which an appropriation was made at the

session of 1907, such statements to be in detail, to show specifically what each item asked is to be used for and to be accompanied by the corresponding item of the appropriation of 1907 and by a statement of the sum left unexpended from such appropriation, if any.

2. A similar itemized and detailed statement with reference to the sums asked by or for each State department, and with reference to each other appropriation which will be asked from the State at the session of 1909 so far as it is possible to give the same; and be it further

Resolved, That the Auditor General be requested to tabulate such information so that the names of the several departments and institutions shall appear in alphabetical order; the appropriations made in 1907, and the balance thereof left unexpended shall appear in a separate column; the amounts asked at the session of 1909 shall appear in a column by themselves; and so that blank columns shall be left to permit the insertion of the amounts recommended by the committees and allowed by the House and Senate.

Very respectfully,

SYDNEY D. HALL,

Acting Clerk of the House of Representatives.

Mr. Bates moved that the resolution be laid on the table.

The motion prevailed.

The following message from the House was also received and read:

House of Representatives,

April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 102 (file No. 93), entitled

A bill requiring railroad companies to equip cabooses or waycars with end platforms and platform steps; providing a penalty for the violation of this act; making railroad companies liable for damages caused or resulting from the violation of this act; and making it the duty of the Michigan Railroad Commission to enforce its provisions;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,

SYDNEY D. HALL,

Acting Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,

April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 98 (file No. 88), entitled

A bill to amend the title and section 1 of Act No. 191 of the Public Acts of 1881, entitled "An act to prohibit railroad companies from carrying on passenger trains any kerosene, benzine, naphtha, gasoline, or any inflammable oil or fluid other than as may be necessary to light or lubricate the cars composing the train on which such oil is carried," the same being section 11522 of the Compiled Laws of 1897;

And to inform the Senate that the House has amended the same as follows:

By striking out of line 8 of section 1 the words "kerosene or gasoline" and inserting in lieu thereof the words "kerosene, benzine, naphtha, gasoline or inflammable oil or fluid;"

And that in the passage of the bill, as thus amended, the House has concurred.

Very respectfully,

SYDNEY D. HALL,

Acting Clerk of the House of Representatives.

The question being on concurring in the amendment made to the bill by the House,

Mr. Taylor moved that the Senate concur.

The motion prevailed, a majority of the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fowle	Mr. Ming	Mr. Tuttle
Anhut	Fox	Moriarty	Ward
Bates	Kingman	Newton	Watkins
Bolt	Kline	Scott	Weter
Collins	Krueger	Smith	Wetmore
Dickinson	MacKay	Snell	White
Foster	Mapes	Taylor	Whitney

28

NAYS.

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The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 84 (file No. 75), entitled

A bill to punish the making, circulating or transmitting of statements, rumors or suggestions derogatory to the financial condition or standing of a bank;

And to inform the Senate that the House has amended the same as follows:

By inserting in line 2 of section 1 after the word "any" the word "false;"

And to further inform the Senate that the House has amended the title of the bill to read as follows:

"A bill to punish the making, circulating or transmitting of false statements, rumors or suggestions derogatory to the financial condition or standing of a bank;"

And that in the passage of the bill, as thus amended, the House has concurred.

Very respectfully,

SYDNEY D. HALL,

Acting Clerk of the House of Representatives.

The question being on concurring in the amendment made to the bill by the House,

The Senate did not concur, a majority of the Senators-elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Bolt

Mr. Fox

Mr. Mapes

Mr. White

1

NAYS.

Mr. Aitkin
Anhut
Bates
Collins
Dickinson

Mr. Foster
Fowle
Kline
Krueger
MacKay

Mr. Newton
Scott
Smith
Snell
Taylor

Mr. Ward
Watkins
Weter
Wetmore
Whitney

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The following message from the House was also received and read:

House of Representatives,
April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 86 (file No. 77), entitled

A bill to repeal Act No. 68 of the Public Acts of 1893, as amended, entitled "An act to provide for the incorporation of supreme, grand and subordinate lodges of the United Home Protectors' Fraternity, a co-operative fraternal building and loan society or order;"

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,

SYDNEY D. HALL,

Acting Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 85 (file No. 76), entitled

A bill to repeal Act No. 205 of the Public Acts of 1877, as amended, entitled "An act to provide for the incorporation of societies for the receiving, loaning and investing of money," the same being compiler's section No. 6190 of the Compiled Laws of 1897;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 36 (file No. 33), entitled

A bill to amend section 19 of Act No. 188 of the Public Acts of 1899, as amended by Act No. 195 of the Public Acts of 1903, and Act No. 155 of the Public Acts of 1907, entitled "An act to provide for the taxation of inheritances, transfers of property by will, transfer of property by the intestate laws of this State, or transfers of property by deed, grant, bargain, sale, or gift made in contemplation of the death of the grantor, vendor or donor, or intended to take effect in possession or enjoyment at or after such death," to make an appropriation for the provisions of this act and to provide a tax therefor;

And to inform the Senate that in the passage of the bill the House has concurred and also concurred in ordering the bill to take immediate effect.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate substitute for Senate bill No. 22 (file No. 20) and Senate bill No. 31 (file No. 28), entitled

A bill to amend the title and sections 1, 4, 5, 6, 8, 9, 10, 13, 14, 18 and 21 of Act No. 282 of the Public Acts of 1905, entitled "An act to provide for the assessment of the property of railroad companies, union station and depot companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight line companies, and for the levy of taxes thereon by a State Board of Assessors, and for the collection of such taxes and to repeal all acts or parts of acts contravening any of the provisions of this act;"

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,

SYDNEY D. HALL.

Acting Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
April 14, 1909.

To the President of the Senate:

Sir:—I am instructed by the House, respectfully to request the re-transmittal to the House of the following bill:

Senate bill No. 82 (file No. 73), entitled

A bill to amend Act No. 32 of the Public Acts of 1905, entitled "An act to amend the title and section 1 of Act No. 91 of the Public Acts of 1903, entitled 'An act to authorize the several courts of the State having jurisdiction in criminal cases, to hold or place persons convicted of a crime or misdemeanor on probation, under the care of probation officers provided in this act.'"

Very respectfully,

SYDNEY D. HALL.

Acting Clerk of the House of Representatives.

The question being on complying with the request of the House for the re-transmittal of the above entitled bill,

Mr. Aitkin moved that the request be granted.

The motion prevailed.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MacKay arose to a question of personal privilege and stated that, in support of the point of order previously raised by him in connection with the motion made by Mr. Ward on the confirmation of Townsend A. Ely as State Highway Commissioner, he desired to specifically cite Rule 17 of the Senate rules which, in part, reads as follows:

"All nominations to office submitted by the Governor, and all other executive business, shall be referred to the Committee on Executive Business and shall be reported upon by such committee with all convenient speed."

The President declared the point of order previously raised by Mr. MacKay well taken and directed that all the nominations to office sent to the Senate today by the Governor, be referred to the Committee on Executive Business, as provided in Rule 17.

Mr. Scott asked and obtained leave of absence for the Committee on Education and Public Schools, consisting of Senators Scott, Shields and Barnaby, after 4 o'clock today and from tomorrow's session.

Mr. Ming asked and obtained leave of absence for the Committee on Michigan Employment Institution for the Blind, consisting of Senators Bolt, Krueger and Ming, after 4 o'clock today and from the sessions of tomorrow and Monday.

Messrs. Kingman, Newton, Snell and Whitney asked and obtained leaves of absence for themselves from the sessions of tomorrow and Monday.

Messrs. Fowle and Kline asked and obtained leaves of absence for themselves from the session of Monday.

Messrs. Aitkin, Anhut, Collins, Dickinson, Mapes, Ward, Wetmore, Weter and White asked and obtained leaves of absence for themselves from tomorrow's session.

Mr. Mapes moved that when the Senate adjourns today, it stand adjourned until tomorrow at 9 o'clock a. m.

The motion prevailed.

Mr. Mapes moved that when the Senate adjourns tomorrow it stand adjourned until Monday, April 19, at 9 o'clock p. m.

The motion prevailed.

By unanimous consent the Senate returned to the order of

MOTIONS AND RESOLUTIONS.

Mr. Foster offered the following resolution:

Senate resolution No. 92.

Resolved, That the Committee on Finance and Appropriations be and is hereby authorized to name a member of that committee to accompany the committee appointed to visit the Forest Reserves in Roscommon and Crawford counties.

Mr. Foster moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

INTRODUCTION OF BILLS.

Mr. Moriarty introduced

Senate bill No. 277, entitled

A bill relating to fire insurance and to provide for the regulation and control of rates of premium thereon and to prevent discriminations therein.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Insurance.

Mr. Moriarty introduced

Senate bill No. 278, entitled

A bill to amend section 14 of Act No. 146 of the Session Laws of 1857, entitled "An act to provide for the organization of the Supreme Court, pursuant to section 2 of article 6 of the Constitution," approved February 16, 1857, as amended by an act of May 31, 1893, the same being compiler's section 186 of the Compiled Laws of 1897, relative to the residence of justices of the Supreme Court.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Collins introduced

Senate bill No. 279, entitled

A bill to permit the use of voting machines in primary elections in the State of Michigan, and to repeal all laws inconsistent herewith.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Elections.

Mr. Collins introduced

Senate bill No. 280, entitled

A bill to amend section 54 of Act No. 193 of the Public Acts of 1901, entitled "An act to amend section 54 of Act No. 206 of the Public Acts of 1893, entitled 'An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891 and all other acts or parts of acts in any wise contravening any of the provisions of this act,' being compiler's section 3877 of the Compiled Laws of 1897."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

UNFINISHED BUSINESS.

Mr. Fox moved that the consideration of the bill on the order of Unfinished Business, the same being

Senate bill No. 216 (file No. 206), relating to Highways, Roads and Bridges,

Be postponed until Tuesday, April 20.

The motion prevailed.

Senators Barnaby, Bradley, Fairbanks and Shields entered the Senate Chamber and took their seats.

Mr. MacKay moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Collins to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate substitute for

House bill No. 219 (file No. 87), entitled

A bill relative to the adjustment and payment of claims against counties and to provide appeals from the disallowance thereof;

Also:

House bill No. 280 (file No. 132), entitled

A bill to amend section 2 of Act No. 148 of the Public Acts of 1873, entitled "An act relating to the accounting for money received and ex-

pended by certain officers," being section 1206 of the Compiled Laws of 1897;

Also:

Senate bill No. 30 (file No. 27), entitled

A bill in relation to the payment of deposits of money in banks and trust companies by minors, trust deposits, and deposits in the names of more than one person;

Also:

Senate bill No. 219 (file No. 207), entitled

A bill to amend section 20 of Act No. 113 of the Public Acts of 1877, entitled "An act to revise the laws providing for the incorporation of companies for mining, smelting, and manufacturing iron, copper, silver, mineral coal, and other ores or minerals, and to fix the duties and liabilities of such corporations," being compiler's section 7010 of the Compiled Laws of 1897, relating to the increase, or diminution of the capital stock of such companies;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate bill No. 226 (file No. 214), entitled

A bill to amend compiler's section 3896 of the Compiled Laws of 1897, the same being section 73 of the general tax law;

Has made one amendment thereto, and has directed its chairman to report the same back to the Senate, asking that the amendment be concurred in, and recommend that, as amended, the bill pass.

Also:

House bill No. 57 (file No. 136), entitled

A bill to amend section 7 of Act No. 6 of the Public Acts of 1907, extra session, entitled "An act to define, and to regulate the treatment and control of, dependent, neglected and delinquent children; to prescribe the jurisdiction of the probate courts and the powers, duties and compensation of the probate judges with regard thereto; to provide for the appointment of county agents and probation officers and to prescribe their powers, duties and compensation;"

And has directed its chairman to report the same back to the Senate, with the recommendation that the bill be referred to the Committee on Judiciary.

WM. A. COLLINS,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first, second, third and fourth named bills in the report and the bills were placed on the order of Third Reading of Bills.

The Senate concurred in the amendment made to the fifth named bill in the report and the bill was placed on the order of Third Reading of Bills.

The Senate concurred in the recommendation of the committee regarding the sixth named bill in the report and the bill was referred to the Committee on Judiciary.

Mr. Moriarty moved that the Senate adjourn.

The motion prevailed, the time being 4:30 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 9 o'clock a. m.

ELBERT V. CHILSON,
Secretary of the Senate.

SIXTY-FIRST DAY.

Lansing, Friday, April 16.

9 o'clock a. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Bates, Foster, Fowle, Fox, Kingman, Moriarty, Taylor—8.

The following Senators were absent with leave: Messrs. Anhut, Barnaby, Bolt, Collins, Dickinson, Krueger, Mapes, Ming, Newton, Scott, Shields, Snell, Ward, Weter, Wetmore, White, Whitney—17.

The following Senators were absent without leave: Messrs. Bradley, Fairbanks, Kline, MacKay, Smith, Tuttle, Watkins—7.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the President declared the Senate adjourned until Monday, April 19, at 9 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

SIXTY-SECOND DAY.

Lansing, Monday, April 19.

9 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Barnaby, Bates, Dickinson, Foster, Fowle, Fox, Kingman, Krueger, MacKay, Mapes, Moriarty, Shields, Smith, Snell, Taylor, Tuttle, Ward, Weter, Wetmore, White, Whitney—21.

The following Senators were absent with leave: Messrs. Bolt, Kline, Ming, Newton—4.

The following Senators were absent without leave: Messrs. Aitkin, Anhut, Bradley, Collins, Fairbanks, Scott, Watkins—7.

Mr. Bates moved that leaves of absence be granted to the absentees from today's session.

The motion prevailed.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
April 16, 1909.

To the President of the Senate:

Sir:—I have this day approved, signed and deposited in the office of the Secretary of State

Senate bill No. 76 (enrolled No. 15), being

An act to provide for the redemption and payment of outstanding bond No. 631 for \$3,000 of the \$5,000,000 loan of 1837, and to make appropriation therefor.

Respectfully,
FRED M. WARNER,
Governor.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that
Senate bill No. 263 (file No. 251);
Senate bill No. 264 (file No. 252);
Senate bill No. 265 (file No. 253);
Senate bill No. 266 (file No. 254);

Senate bill No. 267 (file No. 255);
Senate bill No. 268 (file No. 256);
Senate bill No. 269 (file No. 257);
Senate bill No. 270 (file No. 258);
Senate bill No. 271 (file No. 259);
Senate bill No. 272 (file No. 260);
Senate bill No. 273 (file No. 261);
Senate bill No. 274 (file No. 262);
Senate bill No. 275 (file No. 263);
Senate bill No. 276 (file No. 264);
Senate bill No. 277 (file No. 265);
Senate bill No. 278 (file No. 266);
Senate bill No. 279 (file No. 267);
Senate bill No. 280 (file No. 268);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

PRESENTATION OF PETITIONS.

No. 726. By Mr. Wetmore: Petition of E. T. Huntington and 22 other citizens of Benzonia, Benzie county, in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 727. By Mr. Wetmore: Petition of William H. Briggs and 49 other residents of Manton, Wexford county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 728. By Mr. Tuttle: Petition of Richard Kent and 295 other citizens of Shiawassee county on the same subject.

The petition was referred to the Committee on Public Health.

No. 729. By Mr. Taylor: Petition of F. W. Northrup and 37 other citizens of White Pigeon, St. Joseph county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 730. By Mr. Taylor: Petition of M. E. Pengelly and 80 other citizens of Kalamazoo on the same subject.

The petition was referred to the Committee on Public Health.

No. 731. By Mr. Barnaby: Petition of Carl M. Ferner and 26 other citizens of Grandville, Kent county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 732. By Mr. Barnaby: Petition of C. S. Parks and 66 other citizens of Kent City, Kent county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 733. By Mr. Tuttle: Petition of C. L. Randall and 67 other citizens of Dansville, Ingham county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 734. By Mr. Shields: Petition of George Wesley Wright and 43 other citizens of Gaines, Genesee county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 735. By Mr. Shields: Petition of J. C. Shepard and 9 other citizens of Argentine, Genesee county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 736. By Mr. Weter: Petition of J. H. Conant and 62 other citizens of St. Clair county on the same subject.

The petition was referred to the Committee on Public Health.

No. 737. By Mr. Ward: Petition of Frank Powell and 73 other citizens of Wheeler, Gratiot county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 738. By Mr. Shields: Petition of J. B. Gardner and 29 other citizens of North Star, Gratiot county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 739. By Mr. Tuttle: Petition of J. R. Dunn and 49 other citizens of Webberville, Ingham county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 740. By Mr. Tuttle: Petition of A. E. Whetstone and 23 other citizens of LeRoy township, Ingham county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 741. By Mr. Fox: Petition of Charles Cowan and 26 other citizens of Metamora, Lapeer county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 742. By Mr. Fox: Petition of E. J. VanSickland and 38 other citizens of Burlington township, Lapeer county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 743. By Mr. Fox: Petition of John Braidwood and 62 other citizens of Dryden, Lapeer county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 744. By Mr. Fox: Petition of Peter Stewart and 63 other citizens of Hadley and Metamora, Lapeer county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 745. By Mr. Foster: Petition of Ely Dutton and 82 other citizens of Whittemore, Iosco county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 746. By Mr. Foster: Petition of Irving Beardslee and 29 other citizens of Burleigh on the same subject.

The petition was referred to the Committee on Public Health.

No. 747. By Mr. Kingman: Petition of J. L. Joslyn and 79 other citizens of Battle Creek and LeRoy, Calhoun county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 748. By Mr. Kingman: Petition of S. M. Rud and 105 other citizens of Albion on the same subject.

The petition was referred to the Committee on Public Health.

No. 749. By Mr. Shields: Petition of George S. Burgess and 90 other citizens of Brighton, Livingston county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 750. By Mr. Weter: Petition of George Hall and 51 other citizens of Mussey, St. Clair county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 751. By Mr. Whitney: Petition of R. T. Watson and 25 other citizens of Hemlock, Saginaw county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 752. By Mr. Whitney: Petition of J. H. Somers and 34 other citizens of Chapin, Saginaw county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 753. By Mr. Bates: Petition of David F. Rogers and 33 other citizens of Bradley and Wayland, Allegan county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 754. By Mr. Bates: Petition of Rev. E. R. Clarke and 83 other citizens of Otsego, Allegan county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 755. By Mr. Dickinson: Petition of A. Webster and 52 other citizens of Bath, Clinton county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 756. By Mr. Dickinson: Petition of Rev. F. B. Parker and 59 other citizens of Woodlawn, Barry county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 757. By Mr. Dickinson: Petition of C. I. Hoffman and 83 other citizens of Nashville, Barry county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 758. By Mr. Ward: Petition of G. H. Lynch and 307 other citizens of Big Rapids on the same subject.

The petition was referred to the Committee on Public Health.

No. 759. By Mr. Snell: Petition of M. D. Johnson and 26 other citizens of Northville, Wayne county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 760. By Mr. Bates: Petition of H. L. Snyder and 59 other citizens of Covert, Van Buren county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 761. By Mr. Wetmore: Protest of J. H. Monroe and 14 other citizens of Traverse City against the passage of the Huntley pharmacy bill.

The protest was referred to the Committee on Public Health.

No. 762. By Mr. Fox: Protest of Willard T. Miller and 33 other citizens of Clifford, Lapeer county, on the same subject.

The protest was referred to the Committee on Public Health.

No. 763. By Mr. Dickinson: Protest of Ora Miller and 16 other members of the Royal Neighbors of America, of Grand Ledge, Eaton county, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 764. By Mr. Dickinson: Protest of Grace C. Bush and 22 other members of Woodbine Camp No. 551, Royal Neighbors of America, of Charlotte, on the same subject.

The protest was referred to the Committee on Insurance.

No. 765. By Mr. Dickinson: Resolutions of Woodbine Camp No. 551, Royal Neighbors of America, of Charlotte, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 766. By Mr. Tuttle: Resolutions of Camp No. 2152, Royal Neighbors of America, of Leslie, Ingham county, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 767. By Mr. Barnaby: Protest of R. L. Williams and 32 other members of Safety Harbor No. 1, Fraternal Neighbors, of Grand Rapids, on the same subject.

The protest was referred to the Committee on Insurance.

No. 768. By Mr. Moriarty: Resolutions of Camp No. 3589, Royal Neighbors of America, of Iron Mountain, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 769. By Mr. Moriarty: Resolutions of Albert Jackson Corps No. 188, W. R. C., of Marquette, in favor of the passage of the Chandler bill exempting the property of Civil War veterans from taxation.

The resolutions were referred to the Committee on Military Affairs.

No. 770. By Mr. Tuttle: Protest of J. H. Waters and 23 other citizens of Lansing against the passage of the Collins labor bill.

The protest was referred to the Committee on Labor Interests.

No. 771. By Mr. Foster: Resolution of the Township Board of the Township of Buckeye, Gladwin county, protesting against the passage of the Maxey and Morrice bills providing for the withdrawal of State tax lands from sale; also the endorsement of said resolution by James Hoy and 35 other residents of Buckeye Township.

Mr. Foster moved that the resolution be spread at length in the Journal.

The motion prevailed.

The following is the resolution:

Whereas, Certain legislation now pending at Lansing, known as the Maxey and Morrice bills, would withdraw all State tax homestead and delinquent tax lands from the market, deprive the counties, townships and school districts of all delinquent taxes due them thereon, and materially interfere with the revenues of the municipalities in which such lands are situated, and

Whereas, Such withdrawal from market would prevent the settlement of said lands by bona fide settlers and the development and improvement of the country, therefore

Resolved, By the Township Board of the Township of Buckeye, Gladwin county, that we do unhesitatingly condemn such proposed legislation as against the interests of all concerned and we approve of the action of our Representative, Hon. Geo. A. Cummins, and our Senator, Hon. Eugene Foster, in opposing such legislation, and respectfully request the members of the Legislature to defeat such legislation.

I. C. SMALLWOOD, Justice of Peace.

F. J. SEWITT, Justice of Peace.

F. D. OSTRANDER, Supervisor.

RAY CONNOR, Clerk.

Township Board.

The resolution and endorsement were referred to the Committee on Forestry and State Lands.

REPORTS OF STANDING COMMITTEES.

By the Committee on Religious and Benevolent Societies:

The Committee on Religious and Benevolent Societies reports

House bill No. 218 (file No. 129), entitled

A bill to provide for the incorporation of lodges of the Kalevan Ritarit;

With the recommendation that the bill pass.

L. D. DICKINSON,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Religious and Benevolent Societies:

The Committee on Religious and Benevolent Societies reports

House bill No. 329 (file No. 166), entitled

A bill to amend section 7 of Act No. 171 of the Public Acts of 1903, as amended, entitled "An act for the incorporation of associations not for pecuniary profit;"

With the following amendments thereto:

1. By striking out of line 2 of section 7 after the word "organizations" the bracket "[."

2. By inserting in line 5 of section 7 after the word "Fellows" the bracket "[;"

Recommend that the amendments be concurred in, and that when so amended, the bill pass.

L. D. DICKINSON,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Dickinson moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
April 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 135 (file No. 114), entitled

A bill to prohibit and prevent adulteration, misbranding, fraud and deception in the manufacture and sale of drugs and drug products in the State of Michigan, and to provide for the enforcement thereof;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Public Health.

INTRODUCTION OF BILLS.

Mr. Foster introduced
Senate bill No. 281, entitled

A bill to promote and encourage the planting, care and maintenance of private timber reserves by individuals, by providing for grants of land for the same by the State; the establishment of nurseries for the raising of forest trees and by fixing the rate of taxation on private lands devoted to the raising of timber.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Forestry and State Lands.

Mr. Tuttle introduced
Senate bill No. 282, entitled

A bill to amend section 6 of Act No. 187 of the Public Acts of 1907, entitled "An act establishing standard provisions and conditions to be contained in policies of life insurance issued by companies licensed to do business in this State," approved June 18, 1907.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Insurance.

Mr. Tuttle introduced
Senate bill No. 283, entitled

A bill authorizing life insurance companies to issue policies in certain cases at less than the usual rate of premium.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Insurance.

Mr. Moriarty introduced
Senate bill No. 284, entitled

A bill to amend sections 140 and 141 of Act No. 229 of the Public Acts of 1897, entitled "An act to amend Act No. 206 of the Public Acts of 1893, being 'An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891, and all other acts and parts of acts in anywise contravening any of the provisions of this act,' by adding thereto four sections to be known as

sections 140, 141, 142 and 143, providing for the giving of notice by tax purchasers to the occupants or persons having title to, or interest in such land, of the fact of such sale; and providing the terms upon which such occupant or other person interested in such lands may obtain reconveyance thereof," being sections 3959 and 3960 of the Compiled Laws of 1897, as amended by Act No. 204 of the Public Acts of 1899, Act No. 236 of the Public Acts of 1903, Act No. 142 and Act No. 226 of the Public Acts of 1905.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. Moriarty moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Shields to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

House bill No. 91 (file No. 50), entitled

A bill to amend the title and sections 1, 4 and 9 of Act No. 233 of the Public Acts of 1887, entitled "An act to authorize the sale, in certain cases, of land devised or bequeathed by will, without power of sale," being compiler's sections 9234 to 9242, inclusive, of the Compiled Laws of 1897, as amended by Act No. 55 of the Public Acts of 1901;

Also:

House bill No. 229 (file No. 88), entitled

A bill fixing the salaries of Circuit Judges;

Also:

House bill No. 62 (file No. 68), entitled

A bill to amend section 10 of chapter 13 of the Revised Statutes of 1846, entitled "Organization, powers and duties of counties," the same being compiler's section 2448 of the Compiled Laws of 1897, relative to jurisdiction of counties bordering on Lake Michigan;

Also:

Senate bill No. 229 (file No. 218), entitled

A bill to amend section 2 of Act No. 148 of the Public Acts of 1869, entitled "An act to revise and consolidate the several acts relating to the support and maintenance of poor persons," approved April 5, 1869, being compiler's section 4503 of the Compiled Laws of 1897;

Also:

Senate bill No. 242 (file No. 231), entitled

A bill to prohibit the sale of fruits, vegetables, berries or nuts in baskets, boxes, cases, drawers or other receptacles, less than legal measure;

Also:

Senate bill No. 144 (file No. 130), entitled

A bill to amend section 1 of Act No. 131 of the Session Laws of 1867, entitled "An act supplementary to an act, entitled 'An act to establish the Detroit House of Correction and authorize the confinement of convicted persons therein,'" the same being compiler's section 2176 of the Compiled Laws of 1897;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate bill No. 232 (file No. 221), entitled

A bill to amend section 1 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," and acts amendatory thereof, being compiler's section 4808 of the Compiled Laws of 1897;

Also:

Senate bill No. 169 (file No. 152), entitled

A bill to prevent trespass upon huckleberry marshes and to provide a penalty therefor and to provide for the collection of damages growing out of such trespass;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in, and recommend that, as amended, the bill pass.

Also:

Senate bill No. 15 (file No. 13), entitled

A bill to amend section 4 of Act No. 244 of the Public Acts of the State of Michigan for the year 1907, entitled "An act to protect the title and to regulate the practice of veterinary medicine and surgery in all its various branches in the State of Michigan; providing for a State Veterinary Board and prescribing its duties; regulating existing practitioners; governing under-graduates and reciprocity with other states and provinces; prescribing penalties for its violation, and repealing all inconsistent acts," approved June 27, 1907;

And has directed its chairman to report the same back to the Senate, with the recommendation that the bill be re-referred to the Committee on Public Health.

Also:

House bill No. 93 (file No. 139), entitled

A bill regulating steam vessels, and vessels or boats operated by machinery, navigating the waters within the jurisdiction of this State, excepting vessels which are subject to inspection under the laws of the United States, and providing penalties for the violation thereof;

And has directed its chairman to report the same back to the Senate, with the recommendation that the bill be referred to the Committee on State Affairs.

FRANCIS J. SHIELDS,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first six bills named in the report and the bills were placed on the order of Third Reading of Bills.

The Senate concurred in the amendments made to the seventh and eighth named bills in the report and the bills were placed on the order of Third Reading of Bills.

The Senate concurred in the recommendation of the committee regarding the ninth named bill in the report and the bill was re-referred to the Committee on Public Health.

The Senate concurred in the recommendation of the committee regarding the tenth named bill in the report and the bill was referred to the Committee on State Affairs.

Mr. Whitney moved that the Senate adjourn.

The motion prevailed, the time being 11 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

SIXTY-THIRD DAY.

Lansing, Tuesday, April 20.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. J. T. LeGear, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Foster, Fowle, Fox, Kingman, Kline, Krueger, MacKay, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—31.

The following Senator was absent without leave: Mr. Fairbanks—1.

Mr. Kline moved that leave of absence be granted to the absentee from today's session.

The motion prevailed.

ANNOUNCEMENTS FROM THE SECRETARY.

The Secretary announced that the following bills had been printed and that they were presented to the Governor for approval, April 19:

Senate substitute for

Senate bill No. 22 (file No. 20); and

Senate bill No. 31 (file No. 28, enrolled No. 19);

Senate bill No. 85 (file No. 76, enrolled No. 20);

Senate bill No. 86 (file No. 77, enrolled No. 21);

Senate bill No. 98 (file No. 88, enrolled No. 22);

Senate bill No. 102 (file No. 93, enrolled No. 23).

The Secretary announced that the following bill had been printed and that it was presented to the Governor for approval April 20:

Senate bill No. 36 (file No. 33, enrolled No. 24).

PRESENTATION OF PETITIONS.

No. 772. By Mr. Watkins: Petition of George A. Slayton and 109 other citizens of Hillsdale in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 773. By Mr. Newton: Petition of Charles Everett and 80 other citizens of South Lyon, Oakland county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 774. By Mr. Collins: Petition of A. N. Raymond and 46 other citizens of Hope, Midland county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 775. By Mr. Watkins: Petition of William A. Halleck and 95 other citizens of Wheatland, Hillsdale county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 776. By Mr. Watkins: Petition of John C. Winans and 35 other citizens of Waldron, Hillsdale county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 777. By Mr. Watkins: Petition of George W. Austin and 72 other citizens of Jackson on the same subject.

The petition was referred to the Committee on Public Health.

No. 778. By Mr. Watkins: Petition of E. G. Harrison and 54 other citizens of Prattville, Hillsdale county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 779. By Mr. Aitkin: Petition of C. M. Beaver and 46 other citizens of Elkton, Huron county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 780. By Mr. White: Petition of M. J. Norton and 33 other citizens of Three Oaks, Berrien county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 781. By Mr. White: Petition of B. W. Granger and 16 other citizens of Wakelee, Cass county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 782. By Mr. Fowle: Petition of Andrew Jacobson and 69 other citizens of Stephenson, Menominee county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 783. By Mr. Ming: Petition of William Haskin and 71 other citizens of Aloha, Cheboygan county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 784. By Mr. Aitkin: Protest of Henry Roy and 16 other citizens of Forester, Sanilac county, against the passage of the Huntley pharmacy bill.

The protest was referred to the Committee on Public Health.

No. 785. By Mr. Fox: Protest of M. S. Brown and 2 other citizens of Fostoria, Tuscola county, on the same subject.

The protest was referred to the Committee on Public Health.

No. 786. By Mr. Foster: Protest of R. D. Brown and 10 other citizens of Rose city, Ogemaw county, on the same subject.

The protest was referred to the Committee on Public Health.

No. 787. By Mr. Moriarty: Protest of Edward Farnham and 49 other citizens of Bessemer and Ironwood on the same subject.

The protest was referred to the Committee on Public Health.

No. 788. By Mr. Collins: Protest of E. W. Austin and 25 other citizens of Midland on the same subject.

The protest was referred to the Committee on Public Health.

No. 789. By Mr. Fowle: Protest of F. P. Bohn and 10 other citizens of Newberry on the same subject.

The protest was referred to the Committee on Public Health.

No. 790. By Mr. Fox: Protest of Verne G. Ivory and 47 other citizens of Hadley, Lapeer county, on the same subject.

The protest was referred to the Committee on Public Health.

No. 791. By Mr. Fox: Protest of A. F. Martin and 26 other citizens of Imlay City, Lapeer county, on the same subject.

The protest was referred to the Committee on Public Health.

No. 792. By Mr. Fox: Protest of F. E. Stone and 78 other citizens of Fairgrove, Tuscola county, on the same subject.

The protest was referred to the Committee on Public Health.

No. 793. By Mr. Dickinson: Protest of Emma Waldron and 50 other members of Aleta Camp No. 2989, Royal Neighbors of America, of Eaton Rapids, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 794. By Mr. Taylor: Protest of Grace Parkhurst and 29 other members of Fredericka Camp No. 3818, Royal Neighbors of America, of Augusta, Kalamazoo county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 795. By Mr. Taylor: Resolutions of Liberty Camp No. 1017, Royal Neighbors of America, of Kalamazoo, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 796. By Mr. Kingman: Protest of H. S. Allen and 18 other citizens of Battle Creek against the passage of the Collins labor bill.

The protest was referred to the Committee on Labor Interests.

No. 797. By Mr. Taylor: Protest of Mike O'Brien, of Detroit, against any change in the present labor laws.

The protest was referred to the Committee on Labor Interests.

No. 798. By Mr. Fox: Resolutions of Cass City citizens in favor of the passage of the Chandler bill exempting the property of Civil War veterans from taxation.

The resolutions were referred to the Committee on Military Affairs.

No. 799. By Mr. Fowle: Protest of Oliver LaPlaunt and 123 other citizens and fishermen of DeTour, against the passage of any legislation closing DeTour passage, False DeTour passage and Potagannissing Bay against net fishing.

The protest was referred to the Committee on Fisheries.

REPORTS OF STANDING COMMITTEES.

By the Committee on Railroads:

The Committee on Railroads reports

House bill No. 13 (file No. 165), entitled

A bill to amend section 9 of Act No. 198 of the Laws of 1873, entitled "An act to revise the laws providing for the incorporation of the railroad, bridge and tunnel companies and to regulate the running and management and to fix the duties and liabilities of all railroad, bridge, tunnel and other corporations owning or operating any railroad, bridge or tunnel within this State," as amended, said section being compiler's section 6234 of the Compiled Laws of 1897;

Without recommendation.

E. N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. White moved that the bill be laid on the table.

On which motion Mr. Collins demanded the yeas and nays.

The motion made by Mr. White then did not prevail, two-thirds of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Barnaby
Fowle
Fox
Kingman

Mr. Kline
Krueger
Mapes
Newton

Mr. Shields
Taylor
Tuttle
Ward

Mr. Watkins
Weter
Wetmore
White

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NAYS.

Mr. Anhut
Bates
Bolt
Bradley

Mr. Collins
Dickinson
Foster
MacKay

Mr. Ming
Moriarty
Scott

Mr. Smith
Snell
Whitney

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The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Public Health:

The Committee on Public Health reports

Senate bill No. 37 (file No. 34), entitled

A bill to prohibit the manufacture, sale or use of adulterated cigarettes, and prohibiting the use of cigarettes by minors;

Without recommendation.

A. C. KINGMAN,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 314 (file No. 138), entitled

A bill to amend section 29 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," said section being compiler's section 391 of the Compiled Laws of 1897, and to repeal Act No. 17 of the Public Acts of 1905 amendatory thereof;

With the accompanying substitute therefor, having the following title:

A bill to amend section 29 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May 29, 1897, the same being compiler's section 391 of the Compiled Laws of 1897, as amended by Act No. 17 of the Public Acts of 1905;

Recommend that the substitute be concurred in, and that the bill as substituted, pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the adoption of the substitute reported by the committee.

The motion prevailed.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 242 (file No. 96), entitled

A bill to amend section 2 of Act No. 264 of the Public Acts of 1889, entitled "An act relative to disorderly persons, and to repeal chapter 53 of the Compiled Laws of 1871, as amended by the several acts amendatory thereof," approved July 5, 1889, as amended by Act No. 190 of the Public Acts of 1895, entitled "An act to amend section 2 of Act No. 264 of the Public Acts of 1889, entitled 'An act relative to disorderly persons, and to repeal chapter 53 of the Compiled Laws of 1871, as amended by the several acts amendatory thereof,' approved July 5, 1889, the same being section 1997 a-1 of Howell's Annotated Statutes, and to add a new section thereto to stand as section 6," approved May 22, 1895, the same being section 5924 of the Compiled Laws of 1897;

With the following amendment thereto:

By striking out of line 11 of section 2 the brackets and words "sixty-five" and inserting in lieu thereof the word "thirty;"

Recommend that the amendment be concurred in, and that when so amended, the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order..

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 208 (file No. 194), entitled

A bill to regulate the proceedings of Presidential Electors, defining their duties and compensation, and prescribing the duties of the Secretary of State in relation thereto;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 223 (file No. 211), entitled

A bill to amend section 36 of chapter 176 of the Compiled Laws of 1871, relative to courts of chancery, as amended by Act No. 260 of the Public Acts of 1887, the same being compiler's section 448 of the Compiled Laws of 1897;

With the recommendation that the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Judiciary:

The Committee on Judiciary reports

House bill No. 390 (file No. 191), entitled

A bill to provide for the submission to the qualified electors of the township of Prairieville in the County of Barry and State of Michigan the question of the relief of Kirk H. Brouard, township treasurer of the township of Prairieville in said county, from liability on account of the loss of the township funds through the failure of the Richland Union Bank of Richland, Michigan;

With the following amendment thereto:

By striking out the period at the end of line 6 of section 3 and inserting in lieu thereof the words "and thereupon the said Kirk H. Brouard shall be released from all liability to the extent of the fund deposited and lost through the failure of said Richland Union Bank;"

Recommend that the amendment be concurred in, and that when so amended, the bill pass.

FRED C. WETMORE,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Railroads:

The Committee on Railroads reports

House bill No. 75 (file No. 77), entitled

A bill to provide for the issuance and sale of interchangeable and transferable mileage books by certain railroads in the State of Michigan;

With the accompanying substitute therefor, having the following title:

A bill relative to passenger fares on railroads in this State, to prescribe the method for computing the amount of fare to be paid and the minimum fare and the maximum fare to be paid in certain cases,

and the amount of fare to be paid in cash on trains, conditional upon the issuance of interchangeable and transferable mileage books as herein provided;

Recommend that the substitute be concurred in, and that the bill, as substituted, pass.

E. N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Bates moved that the Senate concur in the adoption of the substitute reported by the committee.

The motion prevailed.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Cities and Villages:

The Committee on Cities and Villages reports

Senate bill No. 250 (file No. 239), entitled

A bill to authorize cities to grant public utility franchises and to provide for the submission of such grants to the electors for confirmation;

With the accompanying substitute therefor, having the following title:

A bill to authorize cities and villages to grant public utility franchises and to provide for the submission of such grants to the electors for confirmation;

Recommend that the substitute be concurred in, and that the bill as substituted, pass.

ARTHUR J. TUTTLE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Tuttle moved that the Senate concur in the adoption of the substitute reported by the committee.

The motion prevailed.

The bill was referred to the committee of the whole and placed on the general order.

REPORTS OF SELECT COMMITTEES.

By the Select Committee on Investigation of Waterways:

The Select Committee on Investigation of Waterways reports

Senate bill No. 269 (file No. 257), entitled

A bill to regulate the transmission of electricity through the public highways, streets and places of this State where the source of supply and place of use are in the same or different counties; and to regulate the charges to be made for electricity so transmitted; and to vest the Michigan Railroad Commission with certain powers and duties in regard thereto;

With the following amendment thereto:

By inserting in line 1 of section 6, after the word "to" the words

"order service to be furnished any village or municipality through which a transmission line may pass and to;"

Recommend that the amendment be concurred in, and that when so amended, the bill pass.

N. O. WARD,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Ward moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

Mr. Ward moved that the above entitled bill be made a special order for Thursday, April 22, at 2:30 o'clock p. m.

The motion prevailed, two-thirds of all the Senators present voting therefor.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
April 19, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 295 (file No. 194), entitled

A bill to amend section 1 of chapter 67 of the Revised Statutes of 1846, entitled "Of title to real property by descent," the same being section 9064 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
April 19, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 339 (file No. 206), entitled

A bill to amend sections 1 and 30 of Act No. 156 of the Session Laws of 1851, entitled "An act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local administrative and legislative powers," as amended, said sections being sections 2475 and 2503 of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.
In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Counties and Townships.

The following message from the House was also received and read:

House of Representatives.
April 19, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 150 (file No. 208), entitled

A bill authorizing the board of supervisors of any county, or the board of auditors in those counties having a board of county auditors, to designate a bank or banks as a depository or depositories of county moneys, and prescribing the duties of certain officers relative thereto, and prescribing certain penalties for the violation of its provisions;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
SYDNEY D. HALL,
Acting Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Counties and Townships.

The following message from the House was also received and read:

House of Representatives,
April 16, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to re-return to the Senate the following bill:

Senate bill No. 84 (file No. 75), entitled

A bill to punish the making, circulating or transmitting of statements, rumors or suggestions derogatory to the financial condition or standing of a bank;

Which the House amended as follows:

By inserting in line 2 of section 1 after the word "any" the word "false;"

And the title of which the House amended to read as follows:

"A bill to punish the making, circulating or transmitting of false

statements, rumors or speculation or standing of

In which amendments

And now to inform members and requests the consider the matters of the said bill.

722
of the Public
pilot's section
The bill is entitled
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ation of

Acting Clerk

voting

The question being on acceding to the committee of conference on the matters of the two Houses relative to the bill,

Mr. Bates moved that the Senate comply with the motion prevailed.

The President announced that the conferees on the would be named tomorrow.

Mr
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INTRODUCTION OF BILLS.

Mr. Bradley introduced
Senate bill No. 285, entitled

A bill to amend sections 2, 3 and 4 of Act No. 128 of the Public Acts of 1887, entitled "An act for the requiring of a civil license in order to marry, and the due registration of the same, and to provide a penalty for the violation of the provisions of the same," approved May 31, 1887, being compiler's sections 8603, 8604 and 8605 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Shields introduced
Senate bill No. 286, entitled

A bill authorizing the Board of State Auditors to contract debts and borrow money to meet deficits in the revenue of this State.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Shields introduced
Senate bill No. 287, entitled

A bill to amend section 8 of Act No. 39 of the Public Acts of 1889, entitled "An act to authorize the formation of corporations for the purchase and improvement of grounds to be occupied for summer homes, for camp meetings, for meetings of assemblies or associations and societies organized for intellectual and scientific culture and for the promotion of the cause of religion and morality, or for any or all of such purposes," approved March 29, 1889, as amended by Act No. 116

And to infoy

In this actt Acts of 1895, approved May 4, 1895, the same being com-
fully asked. on 7646 of the Compiled Laws of 1897.

was read a first and second time by its title, ordered printed,
ad to the Committee on Judiciary.

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. Moriarty, by unanimous consent, moved that the Senate resolve
Thof into

EXECUTIVE SESSION.

- T The motion prevailed, the time being 2:35 o'clock p. m.
The executive session closed, the time being 3:20 o'clock p. m.

UNFINISHED BUSINESS.

Mr. Tuttle moved that the Senate resolve itself into the committee
of the whole on the General Order for the consideration of

Senate bill No. 216 (file No. 206), entitled

A bill to revise, consolidate and add to the laws relating to the
establishment, opening, improvement, maintenance and use of highways
and private roads, and the building, repairing and preservation of
bridges within this State.

The motion prevailed.

The President called Mr. Tuttle to the chair.

After some time spent therein, the committee rose, and through its
chairman made the following report:

The committee has had under consideration the above entitled bill.

Has made sundry amendments thereto, and has directed its chairman
to report the same back to the Senate, asking that the amendments
be concurred in, and recommend that, as amended, the bill pass.

ARTHUR J. TUTTLE,

Chairman.

The report was accepted.

The Senate concurred in the amendments made to the bill named in
the report and the bill was placed on the order of third reading of bills.

By unanimous consent the Senate returned to the order of

MOTIONS AND RESOLUTIONS.

Mr. Tuttle moved that Senate bill No. 216 (file No. 206), entitled

A bill to revise, consolidate and add to the laws relating to the establishment, opening, improvement, maintenance and use of highways and private roads, and the building, repairing and preservation of bridges within this State,

Be placed at the head of the order of Third Reading of Bills.

The motion prevailed, two-thirds of all the Senators present voting therefor.

THIRD READING OF BILLS.

Senate bill No. 216 (file No. 206), entitled

A bill to revise, consolidate and add to the laws relating to the establishment, opening, improvement, maintenance and use of highways and private roads, and the building, repairing and preservation of bridges within this State;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle	
Anhut	Fowle	Moriarty	Ward	
Barnaby	Fox	Newton	Watkins	
Bates	Kingman	Scott	Weter	
Bolt	Kline	Shields	Wetmore	
Bradley	Krueger	Smith	White	
Collins	MacKay	Snell	Whitney	
Dickinson	Mapes	Taylor		31

NAYS.

0

The title of the bill was agreed to.

Mr. Fox moved that before transmittal to the House the bill be re-printed.

The motion prevailed.

Mr. Tuttle, by unanimous consent, moved that the Senate resolve itself into

EXECUTIVE SESSION.

The motion prevailed, the time being 4:40 o'clock p. m.

The executive session closed, the time being 4:50 o'clock p. m.

The Secretary announced that the nominations to office from the Governor, read to the Senate on Thursday, April 15, in open session, had been confirmed by the Senate in executive session with the ex-

And to info

In this act Acts of 1895, approved May 4, 1895, the same being fully asked. On 7646 of the Compiled Laws of 1897.

was read a first and second time by its title, ordered printed, ad to the Committee on Judiciary.

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Moriarty, by unanimous consent, moved that the Senate resolve That into

EXECUTIVE SESSION.

The motion prevailed, the time being 2:35 o'clock p. m.
The executive session closed, the time being 3:20 o'clock p. m.

UNFINISHED BUSINESS.

Mr. Tuttle moved that the Senate resolve itself into the committee of the whole on the General Order for the consideration of

Senate bill No. 216 (file No. 206), entitled

A bill to revise, consolidate and add to the laws relating to the establishment, opening, improvement, maintenance and use of highways and private roads, and the building, repairing and preservation of bridges within this State.

The motion prevailed.

The President called Mr. Tuttle to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the above entitled bill, Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in, and recommend that, as amended, the bill pass.

ARTHUR J. TUTTLE,

Chairman.

The report was accepted.

The Senate concurred in the amendments made to the bill named in the report and the bill was placed on the order of third reading of bills.

By unanimous consent the Senate returned to the order of

MOTIONS AND RESOLUTIONS.

Mr. Tuttle moved that Senate bill No. 216 (file No. 206), entitled

A bill to revise, consolidate and add to the laws relating to the establishment, opening, improvement, maintenance and use of highways and private roads, and the building, repairing and preservation of bridges within this State,

Be placed at the head of the order of Third Reading of Bills.

The motion prevailed, two-thirds of all the Senators present voting therefor.

THIRD READING OF BILLS.

Senate bill No. 216 (file No. 206), entitled

A bill to revise, consolidate and add to the laws relating to the establishment, opening, improvement, maintenance and use of highways and private roads, and the building, repairing and preservation of bridges within this State;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle	
Anhut	Fowle	Moriarty	Ward	
Barnaby	Fox	Newton	Watkins	
Bates	Kingman	Scott	Weter	
Bolt	Kline	Shields	Wetmore	
Bradley	Krueger	Smith	White	
Collins	MacKay	Snell	Whitney	
Dickinson	Mapes	Taylor		31

NAYS.

0

The title of the bill was agreed to.

Mr. Fox moved that before transmittal to the House the bill be re-printed.

The motion prevailed.

Mr. Tuttle, by unanimous consent, moved that the Senate resolve itself into

EXECUTIVE SESSION.

The motion prevailed, the time being 4:40 o'clock p. m.

The executive session closed, the time being 4:50 o'clock p. m.

The Secretary announced that the nominations to office from the Governor, read to the Senate on Thursday, April 15, in open session, had been confirmed by the Senate in executive session with the ex-

ception of the nomination of Townsend A. Ely to the office of State Highway Commissioner, which nomination had been referred to the Senate for confirmation in open session.

By unanimous consent, the Senate took up the order of

MOTIONS AND RESOLUTIONS.

Mr. Tuttle moved that the nomination of Townsend A. Ely to the office of State Highway Commissioner be confirmed in open session.

The motion prevailed.

The Senate then advised and consented to the said nomination to office, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle	
Anhut	Fowle	Moriarty	Ward	
Barnaby	Fox	Newton	Watkins	
Bates	Kingman	Scott	Weter	
Bolt	Kline	Shields	Wetmore	
Bradley	Krueger	Smith	White	
Collins	MacKay	Taylor	Whitney	
Dickinson	Mapes			30

NAYS.

0

By unanimous consent the Senate resumed the order of

THIRD READING OF BILLS.

Senate bill No. 225 (file No. 213), entitled

A bill to amend sections 1, 16 and 25 of Act No. 207 of the Public Acts of 1889, approved June 29, 1889, entitled "An act to prohibit the manufacture, sale, keeping for sale, giving away, or furnishing of vinous, malt, brewed, fermented, spirituous or intoxicating liquors, or any mixed liquor or beverage, any part of which is intoxicating, and to prohibit the keeping of any saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of such liquors or beverages, and to suspend the general laws of the State relative to the taxation and regulation of the manufacture and sale of such liquors in the several counties of this State under certain circumstances; to authorize the qualified electors of the several counties of this State to express their will in regard to such prohibition by an election, and to authorize and empower the boards of supervisors of the several counties, after such election, if they shall determine the result to be in favor of such

prohibition, to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of any such liquors, or the keeping of a saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of the same in their respective counties, and to provide for penalties and rights of action in case of its violation," as amended and added to by Act No. 183, of the Public Acts of 1899, approved April 18, 1899, and by Act No. 170, Public Acts of 1903, approved June 3, 1903, and to add 13 new sections to stand as sections 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38;

Mr. Collins moved that further consideration of the above entitled bill be postponed until tomorrow.

The motion prevailed.

Senate bill No. 188 (file No. 172), entitled

A bill in relation to the publication in newspapers of the time schedules of carriers of passengers within this State;

Mr. Moriarty moved that further consideration of the above entitled bill be postponed until tomorrow.

The motion prevailed.

House bill No. 282 (file No. 150), entitled

A bill to prohibit the taking, catching or killing of certain species of bass during certain months of the year; to provide a penalty therefor, and to repeal all acts or parts of acts inconsistent herewith;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Taylor
Anhut	Foster	Ming	Ward
Barnaby	Fowle	Moriarty	Watkins
Bates	Kingman	Newton	Weter
Bolt	Kline	Scott	Wetmore
Bradley	Krueger	Shields	White
Collins	MacKay	Smith	Whitney

28

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 45 (file No. 43), entitled

A bill making an appropriation for the Mackinac Island State Park for various purposes for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Ming moved to amend the bill by adding to section 1 the following proviso:

"Provided further, that five per cent of the amount hereby appropriated shall be expended in each of the years mentioned, upon the Michilimackinac State Park, under the direction of the Mackinac Island State Park Commission."

The amendment was received, a majority of all the Senators present voting therefor.

The amendment was then adopted.

The question being on the passage of the bill,

The bill was then passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle	
Anhut	Fowle	Moriarty	Ward	
Barnaby	Kingman	Newton	Watkins	
Bates	Kline	Scott	Weter	
Bolt	Krueger	Shields	Wetmore	
Bradley	MacKay	Smith	White	
Collins	Mapes	Taylor	Whitney	
Dickinson				29
NAYS.				0

The question being on agreeing to the title,

Mr. Ming moved to amend the title so as to read as follows:

"A bill making an appropriation for the Mackinac Island State Park and for the Michilimackinac State Park for various purposes for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same."

The motion prevailed, and the title of the bill was so amended.

The title of the bill as amended was then agreed to.

House bill No. 132 (file No. 118), entitled

A bill to amend section 1 of Act 154 of the Public Acts of 1893, entitled "An act to provide for the extension of the term of existence of corporations or associations organized under Act No. 87 of Acts of the Legislature of the State of Michigan of 1855, approved February 12, 1855, entitled 'An act relating to burying grounds,' or under said act as amended, the corporate term of existence of which has heretofore expired, or may hereafter expire by limitation, and to fix the duties and liabilities of such renewed corporations or associations," being section 8398 of the Compiled Laws of 1897, and to add another section to said Act 154;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle	
Anhut	Fowle	Moriarty	Ward	
Barnaby	Kingman	Newton	Watkins	
Bates	Kline	Scott	Weter	
Bolt	Krueger	Shields	Wetmore	
Bradley	MacKay	Smith	White	
Collins	Mapes	Taylor	Whitely	
Dickinson				29
NAYS.				0

The title of the bill was agreed to.

House bill No. 148 (file No. 105), entitled

A bill to require a stamp or label on every ball of binder twine sold, exposed or offered for sale within this State, and providing a penalty for the violation thereof;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Kline moved to amend the bill by striking out of lines 4 and 5 of section 1 the words "its tensile strength."

The amendment was received, a majority of all the Senators present voting therefor.

The amendment was then adopted.

The question being on the passage of the bill,

The bill was then passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.			
Mr. Aitkin	Mr. Dickinson	Mr. Ming	Mr. Taylor
Anhut	Foster	Moriarty	Ward
Barnaby	Fowle	Newton	Watkins
Bates	Kline	Scott	Weter
Bolt	Krueger	Shields	White
Bradley	MacKay	Smith	Whitney
Collins	Mapes		

26

NAYS.

Mr. Kingman

1

The title of the bill was agreed to.

Senate bill No. 91 (file No. 81), entitled

A bill to prescribe the liability of common carrier railroad companies and persons, co-partnerships, firms, associations and corporations owning or operating railroads, not common carriers, to their employees;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.			
Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Tuttle
Anhut	Foster	Ming	Ward
Barnaby	Fowle	Newton	Watkins
Bates	Fox	Scott	Weter
Bolt	Kingman	Shields	Wetmore
Bradley	Kline	Smith	White
Collins	Krueger	Taylor	Whitney

28

NAYS.

Mr. Moriarty

1

The question being on agreeing to the title.

Mr. Ming moved to amend the title so as to read as follows:

"A bill to prescribe the liability of common carrier railroad companies to their employees."

The motion prevailed, and the title of the bill was so amended.
The title of the bill as amended, was then agreed to.

House bill No. 280 (file No. 132), entitled

A bill to amend section 2 of Act No. 148 of the Public Acts of 1873, entitled "An act relating to the accounting for money received and expended by certain officers," being section 1206 of the Compiled Laws of 1897;

Mr. Fowle moved that further consideration of the above entitled bill be postponed until tomorrow.

The motion prevailed.

Senate substitute for

House bill No. 219 (file No. 87), entitled

A bill relative to the adjustment and payment of claims against counties and to provide appeals from the disallowance thereof;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Mapes	Mr. Tuttle	
Anhut	Fowle	Moriarty	Watkins	
Barnaby	Fox	Newton	Weter	
Bates	Kingman	Scott	Wetmore	
Bolt	Kline	Shields	White	
Bradley	Krueger	Smith	Whitney	
Collins	MacKay	Taylor		27

NAYS.

Mr. Dickinson	1
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The title of the bill was agreed to.

Senate bill No. 226 (file No. 214), entitled

A bill to amend compiler's section 3896 of the Compiled Laws of 1897, the same being section 73 of the general tax law;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle	
Anhut	Fowle	Moriarty	Ward	
Barnaby	Fox	Newton	Watkins	
Bates	Kingman	Scott	Weter	
Bolt	Kline	Shields	Wetmore	
Bradley	Krueger	Smith	White	
Collins	MacKay	Taylor	Whitney	
Dickinson	Mapes			30

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 30 (file No. 27), entitled

A bill in relation to the payment of deposits of money in banks and trust companies by minors, trust deposits, and deposits in the names of more than one person;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle	
Anhut	Fowle	Moriarty	Ward	
Barnaby	Fox	Newton	Watkins	
Bates	Kingman	Scott	Weter	
Bolt	Kline	Shields	Wetmore	
Bradley	Krueger	Smith	White	
Collins	MacKay	Taylor	Whitney	
Dickinson	Mapes			30

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 219 (file No. 207), entitled

A bill to amend section 20 of Act No. 113 of the Public Acts of 1877, entitled "An act to revise the laws providing for the incorporation of companies for mining, smelting, and manufacturing iron, copper, silver, mineral coal, and other ores or minerals, and to fix the duties and liabilities of such corporations," being compiler's section 7010 of the Compiled Laws of 1897, relating to the increase, or diminution of the capital stock of such companies;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle	
Anhut	Fowle	Moriarty	Ward	
Barnaby	Fox	Newton	Watkins	
Bates	Kingman	Scott	Weter	
Bolt	Kline	Shields	Wetmore	
Bradley	Krueger	Smith	White	
Collins	MacKay	Taylor	Whitney	
Dickinson	Mapes			30

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 232 (file No. 221), entitled

A bill to amend section 1 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the

duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," and acts amendatory thereof, being compiler's section 4808 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle	
Anhut	Fowle	Moriarty	Ward	
Barnaby	Fox	Newton	Watkins	
Bates	Kingman	Scott	Weter	
Bolt	Kline	Shields	Wetmore	
Bradley	Krueger	Smith	White	
Collins	MacKay	Taylor	Whitney	
Dickinson	Mapes			30

NAYS.

0

The title of the bill was agreed to.

House bill No. 229 (file No. 88), entitled

A bill fixing the salaries of Circuit Judges;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle	
Anhut	Fowle	Moriarty	Ward	
Barnaby	Kingman	Newton	Watkins	
Bates	Kline	Scott	Weter	
Bolt	Krueger	Shields	Wetmore	
Bradley	MacKay	Smith	White	
Collins	Mapes	Taylor	Whitney	
Dickinson				29

NAYS.

Mr. Fox

1

The title of the bill was agreed to.

House bill No. 91 (file No. 50), entitled

A bill to amend the title and sections 1, 4 and 9 of Act No. 233 of the Public Acts of 1887, entitled "An act to authorize the sale, in certain cases, of land devised or bequeathed by will, without power of sale," being compiler's sections 9234 to 9242, inclusive, of the Compiled Laws of 1897, as amended by Act No. 55 of the Public Acts of 1901;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle
Anhut	Fowle	Moriarty	Ward
Barnaby	Fox	Newton	Watkins
Bates	Kingman	Scott	Weter
Bolt	Kline	Shields	Wetmore
Bradley	Krueger	Smith	White
Collins	Mapes	Taylor	Whitney
Dickinson			

29

NAYS.

0

The title of the bill was agreed to.

House bill No. 62 (file No. 68), entitled

A bill to amend section 10 of chapter 13 of the Revised Statutes of 1846, entitled "Organization, powers and duties of counties," the same being compiler's section 2448 of the Compiled Laws of 1897, relative to jurisdiction of counties bordering on Lake Michigan;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle
Anhut	Fowle	Moriarty	Ward
Barnaby	Fox	Newton	Watkins
Bates	Kingman	Scott	Weter
Bolt	Kline	Shields	Wetmore
Bradley	Krueger	Smith	White
Collins	Mapes	Taylor	Whitney
Dickinson			

29

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 229 (file No. 218), entitled

A bill to amend section 2 of Act No. 148 of the Public Acts of 1869, entitled "An act to revise and consolidate the several acts relating to the support and maintenance of poor persons," approved April 5, 1869, being compiler's section 4503 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Tuttle
Anhut	Fowle	Moriarty	Ward
Barnaby	Fox	Newton	Watkins
Bates	Kingman	Scott	Weter

Mr. Bolt	Mr. Kline	Mr. Shields	Mr. Wetmore	
Bradley	Krueger	Smith	White	
Collins	Mapes	Taylor	Whitney	
Dickinson				29

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 242 (file No. 231), entitled

A bill to prohibit the sale of fruits, vegetables, berries or nuts in baskets, boxes, cases, drawers or other receptacles, less than legal measure;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Taylor	
Anhut	Foster	Ming	Tuttle	
Barnaby	Fowle	Moriarty	Watkins	
Bates	Fox	Newton	Weter	
Bolt	Kingman	Scott	Wetmore	
Bradley	Kline	Shields	White	
Collins	Krueger	Smith	Whitney	
				28

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 144 (file No. 130), entitled

A bill to amend section 1 of Act No. 131 of the Session Laws of 1867, entitled "An act supplementary to an act entitled 'An act to establish the Detroit House of Correction and authorize the confinement of convicted persons therein,'" the same being compiler's section 2176 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Taylor	
Anhut	Foster	Ming	Tuttle	
Barnaby	Fowle	Moriarty	Ward	
Bates	Fox	Newton	Watkins	
Bolt	Kingman	Scott	Weter	
Bradley	Kline	Shields	Wetmore	
Collins	Krueger	Smith	Whitney	
				28

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 169 (file No. 152), entitled

A bill to prevent trespass upon huckleberry marshes and to provide a penalty therefor and to provide for the collection of damages growing out of such trespass;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Ming	Mr. Tuttle	
Anhut	Foster	Moriarty	Watkins	
Barnaby'	Fowle	Newton	Weter	
Bates	Fox	Scott	Wetmore	
Bolt	Kingman	Shields	White	
Bradley	Kline	Smith	Whitney	
Collins	Mapes	Taylor		27

NAYS.

0

The title of the bill was agreed to.

Mr. Shields asked and obtained leave of absence for Mr. MacKay from the remaining sessions of this week.

By unanimous consent the Senate returned to the order of

INTRODUCTION OF BILLS.

Mr. Weter, for Mr. MacKay, introduced
Senate bill No. 288, entitled

A bill to provide for the incorporation of Presbyterian churches.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Religious and Benevolent Societies.

By unanimous consent the Senate returned to the order of

MOTIONS AND RESOLUTIONS.

Mr. Wetmore moved that the Committee of the Whole be discharged from the further consideration of

Senate bill No. 259 (file No. 248), entitled

A bill authorizing the appointment of certain officers for the Supreme court.

The motion prevailed.

Mr. Wetmore moved that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed and the bill was so referred.

Mr. White moved that the Committee of the Whole be discharged from the further consideration of

House bill No. 13 (file No. 165), entitled

A bill to amend section 9 of Act No. 198 of the Laws of 1873, entitled "An act to revise the laws providing for the incorporation of the railroad, bridge and tunnel companies and to regulate the running and management and to fix the duties and liabilities of all railroad, bridge, tunnel and other corporations owning or operating any railroad, bridge or tunnel within this State," as amended, said section being compiler's section 6234 of the Compiled Laws of 1897;

The motion prevailed.

Mr. White moved that the bill be laid on the table,

On which motion Mr. Collins demanded the yeas and nays.

The motion made by Mr. White then prevailed, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fowle	Mr. Mapes	Mr. Taylor	
Anhut	Fox	Ming	Tuttle	
Barnaby	Kingman	Newton	Watkins	
Bates	Kline	Scott	Wetmore	
Dickinson	Krueger	Shields	White	20

NAYS.

Mr. Bolt	Mr. Collins	Mr. Moriarty	Mr. Whitney	
Bradley	Foster	Smith		7

Mr. Fowle moved that the Senate adjourn.

The motion prevailed, the time being 5:40 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 2 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

SIXTY-FOURTH DAY.

Lansing, Wednesday, April 21.

2 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President.

Religious exercises were conducted by Rev. J. T. LeGear, of Lansing.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, Mapes, Ming, Moriarty, Newton, Scott, Shields, Smith, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—30.

The following Senator was absent with leave: Mr. MacKay—1.

The following Senator was absent without leave: Mr. Snell—1.

Mr. Shields moved that leave of absence be granted to the absentee from today's session.

The motion prevailed.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
April 21, 1909.

To the President of the Senate:

Sir:—I hereby submit for the consideration of the Senate the following nominations to office:

Rowland Connor, of Saginaw, Saginaw county, as Member of the Advisory Board in the Matter of Pardons, to fill the vacancy caused by the resignation of William R. Kendrick, for the term ending December 31, 1911;

Temple Emery, of Bay City, Bay county, as Inspector of Salt, for the term of two years, from and after January 26, 1909;

Richard H. Fletcher, of Bay City, Bay county, as Commissioner of Labor, for the term of two years, from and after March 1, 1909.

Very respectfully,

FRED M. WARNEE,
Governor.

The message was referred to the Committee on Executive Business.

The President announced as the committee of conference on the part of the Senate to consider the differences existing between the two Houses relative to

Senate bill No. 84 (file No. 75), entitled

A bill to punish the making, circulating or transmitting of statements, rumors or suggestions derogatory to the financial condition or standing of a bank;

Senators Aitkin, Kingman and Kline.

PRESENTATION OF PETITIONS.

No. 800. By Mr. Fox: Petition of Joseph Fox and 67 other citizens of Vassar, Tuscola county, in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 801. By Mr. Fox: Petition of William Cooper and 17 other citizens of Kingston and Novesta, Tuscola county, on the same subject. The petition was referred to the Committee on Public Health.

No. 802. By Mr. Fox: Petition of W. A. Allen and 71 other citizens of Dryden, Lapeer county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 803. By Mr. Fox: Petition of F. A. Bigelow and 73 other citizens of Cass City, Tuscola county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 804. By Mr. Fox. Petition of Nelson Haskin and 71 other citizens of Imlay City, Lapeer county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 805. By Mr. Bates: Petition of W. S. Phillips and 85 other citizens of Wayland, Allegan county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 806. By Mr. Bates: Petition of E. F. Bates and 97 other citizens of Geneva, Van Buren county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 807. By Mr. Bates: Petition of Frank H. Walling and 99 other citizens of Hartford, Van Buren county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 808. By Mr. Bates: Petition of T. C. Parker and 18 other citizens of Lawrence, Van Buren county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 809. By Mr. Bates: Petition of C. M. Kline and 40 other citizens of Bangor, Van Buren county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 810. By Mr. Bates: Petition of C. L. Keene and 32 other citizens of Mettawas, Van Buren county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 811. By Mr. Bates: Petition of LeRoy H. Clark and 54 other citizens of Plainwell, Allegan county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 812. By Mr. Kline: Petition of H. W. Porter and 50 other citizens of Weston, Lenawee county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 813. By Mr. Kline: Petition of C. L. Howard and 44 other citizens of Petersburg, Monroe county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 814. By Mr. Kline: Petition of Wesley C. Richards and 104 other citizens of Exeter and Ash townships, Monroe county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 815. By Mr. Kline: Petition of Argus Kinney and 131 other citizens of Bedford, Monroe county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 816. By Mr. Watkins: Petition of William W. Anderson and 94 other citizens of North Adams, Hillsdale county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 817. By Mr. Watkins: Petition of A. B. Shaw and 101 other citizens of Litchfield, Hillsdale county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 818. By Mr. Watkins: Petition of Frank Carpenter and 104 other citizens of Woodbridge, Hillsdale county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 819. By Mr. Tuttle: Petition of C. H. Judd and 105 other citizens of New Lathrop, Shiawassee county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 820. By Mr. Tuttle: Petition of C. H. Murphy, M. D., and 148 other citizens of Perry, Shiawassee county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 821. By Mr. Tuttle: Petition of J. W. Weston and 104 other citizens of Mason on the same subject.

The petition was referred to the Committee on Public Health.

No. 822. By Mr. Shields: Petition of A. S. Rose and 132 other citizens of Fowlerville, Livingston county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 823. By Mr. Shields: Petition of Harry L. Holmes and 105 other citizens of Flint on the same subject.

The petition was referred to the Committee on Public Health.

No. 824. By Mr. Shields: Petition of H. J. Bush and 134 other citizens of Linden, Genesee county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 825. By Mr. Bolt: Petition of James Wilson and 28 other citizens of Eastmanville, Ottawa county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 826. By Mr. Bolt: Petition of John Haas and 51 other citizens of Scotts, Kalamazoo county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 827. By Mr. Bolt: Petition of John Card and 31 other citizens of Nunica, Ottawa county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 828. By Mr. Weter: Petition of James G. Draper and 113 other citizens of Armada, Macomb county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 829. By Mr. Weter: Petition of Rev. R. N. Mulholland and 99 other citizens of St. Clair county on the same subject.

The petition was referred to the Committee on Public Health.

No. 830. By Mr. Bradley: Petition of F. A. Antcliff and 41 other citizens of Orleans and Otisco, Ionia county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 831. By Mr. Fairbanks: Petition of F. O. Gardner and 76 other citizens of Pentwater, Oceana county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 832. By Mr. Fairbanks: Petition of F. M. Stout and 51 other citizens of Golden, Oceana county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 833. By Mr. Fairbanks: Petition of Walter Westbrook and 39 other citizens of Newaygo county on the same subject.

The petition was referred to the Committee on Public Health.

No. 834. By Mr. Fairbanks: Petition of L. Hoffman and 74 other citizens of Garfield, Newaygo county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 835. By Mr. Fairbanks: Petition of George Barton and 36 other citizens of Big Prairie, Newaygo county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 836. By Mr. Fairbanks: Petition of the W. C. T. U. of Manistee on the same subject.

The petition was referred to the Committee on Public Health.

No. 837. By Mr. Dickinson: Petition of Hiram W. Payne and 63 other citizens of Hope, Rutland and Baltimore, Barry county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 838. By Mr. Dickinson: Petition of S. R. Edwards and 33 other citizens of Carlton, Barry county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 839. By Mr. Dickinson: Petition of Frank Hunt and 36 other citizens of Duplain, Clinton county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 840. By Mr. Dickinson: Petition of J. W. Bush and 47 other citizens of Watertown, Clinton county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 841. By Mr. Dickinson: Petition of G. E. Lacey and 91 other citizens of Barry county on the same subject.

The petition was referred to the Committee on Public Health.

No. 842. By Mr. Taylor: Petition of Frank W. Wells and 148 other citizens of Kalamazoo on the same subject.

The petition was referred to the Committee on Public Health.

No. 843. By Mr. Taylor: Petition of William L. Johnson and 88 other citizens of Cooper, Kalamazoo county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 844. By Mr. Newton: Petition of W. B. Townsend and 62 other citizens of Salem, Washtenaw county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 845. By Mr. Newton: Petition of Thomas French and 38 other citizens of Dexter, Washtenaw county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 846. By Mr. Newton: Petition of George W. Freeman and 49 other citizens of Willis, Washtenaw county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 847. By Mr. Ming: Petition of R. A. Wright and 69 other citizens of Charlevoix on the same subject.

The petition was referred to the Committee on Public Health.

No. 848. By Mr. White: Petition of Will M. Beale and 66 other citizens of Marcellus on the same subject.

The petition was referred to the Committee on Public Health.

No. 849. By Mr. Wetmore: Petition of G. S. Edgar and 75 other citizens of Frankfort, Benzie county, on the same subject.

The petition was referred to the Committee on Public Health:

No. 850. By Mr. Kingman: Petition of George W. Prentice and 130 other citizens of Allen, Branch county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 851. By Mr. Fowle: Petition of R. G. Crawford and 40 other citizens of Chippewa county on the same subject.

The petition was referred to the Committee on Public Health.

No. 852. By Mr. Barnaby: Petition of Rev. J. H. Wesbrook and 35 other citizens of Byron, Kent county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 853. By Mr. Whitney: Petition of D. W. Moon and 70 other citizens of Dickinson, Saginaw county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 854. By Mr. Fowle: Protest of Isabella Thompson and 31 other members of Arbutus Camp No. 1566, Royal Neighbors of America, of Brimley, Chippewa county, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 855. By Mr. Fowle: Resolutions of Arbutus Camp No. 1566, Royal Neighbors of America, of Brimley, Chippewa county, on the same subject.

The resolutions were referred to the Committee on Insurance.

No. 856. By Mr. Fowle: Protest of Soo Camp No. 4173, M. W. of A., of Sault Ste. Marie, on the same subject.

The protest was referred to the Committee on Insurance.

No. 857. By Mr. Watkins: Protest of L. B. Clark and 44 other citizens of Hillsdale on the same subject.

The protest was referred to the Committee on Insurance.

No. 858. By Mr. Watkins: Protest of Mrs. Nettie Wilbur and 32 other members of Camp No. 1279, Royal Neighbors of America, of Springport, Jackson county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 859. By Mr. White: Protest of Anna G. Sweet and 10 other members of Purity Camp, Royal Neighbors of America, of Marcellus, Cass county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 860. By Mr. White: Protest of Allie Allen and 38 other members of Good Cheer Camp No. 3464, Royal Neighbors of America, of Galien, Berrien county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 861. By Mr. White: Protest of Pokagon Camp No. 2529, M. W. of A., of Pokagon, Cass county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 862. By Mr. White: Protest of Verna Claire and 33 other members of Pleasant Lake Camp No. 69, Royal Neighbors of America, of Edwardsburg, on the same subject.

The protest was referred to the Committee on Insurance.

No. 863. By Mr. White: Protest of Lily Camp No. 947, Royal Neighbors of America, of Dayton, Berrien county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 864. By Mr. White: Protest of Mrs. Eva Wells and 34 other members of Grayfield Camp, Royal Neighbors of America, of Sodus, Berrien county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 865. By Mr. Bradley: Protest of Frank D. Brayton and 18 other members of Camp No. 7312, M. W. of A., of Sheridan, Montcalm county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 866. By Mr. Bradley: Protest of Edwin T. Lang and 26 other members of Camp No. 8208, M. W. of A., of Edmore, Montcalm county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 867. By Mr. Whitney: Protest of Mrs. Helen C. Adams and 20 other members of June Camp No. 1735, Royal Neighbors of America, of Chesaning, on the same subject.

The protest was referred to the Committee on Insurance.

No. 868. By Mr. Moriarty: Protest of F. L. Webber and 41 other citizens of Grand Marais against the passage of the Huntley pharmacy bill.

The protest was referred to the Committee on Public Health.

No. 869. By Mr. Wetmore: Protest of F. A. Hall and 4 other citizens of Missaukee county against the passage of the Curtiss bill to license vendors of medicine.

The protest was referred to the Committee on Public Health.

No. 870. By Mr. Whitney: Protest of D. B. Hovey and 24 other citizens of Saginaw against the passage of the Collins labor bill.

The protest was referred to the Committee on Labor Interests.

No. 871. By Mr. Taylor: Petition of William Roberts and 54 other citizens of Schoolcraft township, Kalamazoo county, urging the repeal of Act No. 333 of the Public Acts of 1907, relating to the protection of fish.

The petition was referred to the Committee on Fisheries.

No. 872. By Mr. Bradley: Resolutions of the Board of Supervisors of Montcalm county protesting against the passage of House bill No. 179, providing for the township unit system of schools.

The resolutions were referred to the Committee on Education and Public Schools.

No. 873. By Mr. Moriarty: Resolutions of the board of trustees of the public schools of Chatham, Alger county, in favor of the passage of House bill No. 179, providing for the township unit system of schools, also a law effecting a more equitable distribution of the primary school funds.

The resolutions were referred to the Committee on Education and Public Schools.

No. 874. By Mr. Whitney: Petition of Hon. W. S. Linton, President of the Saginaw Board of Trade, and 83 other members of the Saginaw Board of Trade, urging immediate legislation for the preservation of the forests of the State.

The petition was referred to the Committee on Forestry and State Lands.

MOTIONS AND RESOLUTIONS.

Mr. Shields offered the following resolution:

Senate resolution No. 93.

Resolved, That Senator William H. Bradley, member of the Committee on Finance and Appropriations, be reimbursed for expenses incurred in accompanying the Committee on Education and Public Schools to the city of Alpena.

Mr. Shields moved that the rules be suspended and that the resolution be placed on its immediate passage.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

REPORTS OF STANDING COMMITTEES.

By the Committee on Banks and Corporations:

The Committee on Banks and Corporations reports

Senate bill No. 220 (file No. 208), entitled

A bill defining bills of lading to be issued by common carriers, railroads and transportation companies, prescribing as to the form, issue, use and surrender thereof, providing penalties for the violation of this act and repealing acts inconsistent therewith;

With the following amendment thereto:

By adding a new paragraph at the end of section 2 to read as follows: "(d) Nothing herein contained shall be construed to prohibit express companies from using the customary receipts employed by them in the ordinary transaction of their business;"

Recommend that the amendment be concurred in, and that when so amended, the bill pass.

F. B. KLINE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Kline moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Cities and Villages:

The Committee on Cities and Villages reports

Senate bill No. 162 (file No. 146), entitled

A bill to provide for the incorporation of cities, and for the adoption, revision and amendments of city charters in this State;

Also:

Senate bill No. 104 (file No. 95), entitled

A bill to provide for the incorporation of cities;

Also:

Senate bill No. 120 (file No. 100), entitled

A bill to provide for the incorporation of cities and for changing their boundaries;

Also:

Senate bill No. 239 (file No. 228), entitled

A bill to provide for the incorporation of cities and for changing their boundaries;

Introduced by Senators Tuttle, Taylor and Fowle;

With the accompanying substitute therefor having the following title:

A bill to provide for the incorporation of cities and for changing their boundaries;

Recommend that the substitute be concurred in, ordered printed, and made a special order for Thursday, April 22, at 2:15 o'clock p. m.

ARTHUR J. TUTTLE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Tuttle moved that the Senate concur in the adoption of the substitute reported by the committee.

The motion prevailed.

The question being on concurring in the recommendation of the committee that the bill be made a special order for tomorrow at 2:15 o'clock p. m.,

The motion prevailed, two-thirds of all the Senators present voting therefor.

By the Committee on Roads and Bridges:

The Committee on Roads and Bridges reports

House bill No. 247 (file No. 160), entitled

A bill to provide for the construction and maintenance of dams in drains and the better maintenance of drainage work by embanking, pumping or other mechanical operation, and the assessment and collection of taxes therefor;

With the recommendation that the bill pass.

EDWIN G. FOX,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations reports

Senate bill No. 137 (file No. 123), entitled

A bill to amend sections 3 and 5 of Act No. 109 of the Public Acts of 1907, entitled "An act to provide for the appointment of a bacteriologist by the State Board of Health; to provide for the purchase of the necessary appliances and apparatus for bacteriological examinations, and providing an appropriation therefor;"

With the following amendments thereto:

1. By striking out of line 1 of section 3 after the word "health" the word "and."

2. By inserting in line 1 of section 3 after the word "health" a comma ".,"

3. By inserting in line 1 of section 3 after the word "officers" the words "and all State Institutions;"

Recommend that the amendments be concurred in, and that when so amended, the bill pass.

ERASTUS N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged. Mr. Bates moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations reports
House bill No. 262 (file No. 169), entitled

A bill to provide a tax to meet the amounts disbursed by the State for the current expenses of the Michigan State Prison, the State House of Correction and Branch Prison in the Upper Peninsula, and the Michigan Reformatory;

With the recommendation that the bill pass.

ERASTUS N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations reports
House bill No. 263 (file No. 170), entitled

A bill to provide a tax to meet the amounts disbursed by the State for the several asylums for the support of patients under the several laws relating thereto;

With the recommendation that the bill pass.

ERASTUS N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Finance and Appropriations:

The Committee on Finance and Appropriations reports
House bill No. 345 (file No. 168), entitled

A bill authorizing the transfer of any moneys redited to the "War Fund" to the general fund in the State Treasury;

With the recommendation that the bill pass.

ERASTUS N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Finance and Appropriations:
The Committee on Finance and Appropriations reports
Senate bill No. 26 (file No. 23), entitled

A bill to provide for the purchase of books and other material for the Michigan State Library and books and equipments for the Michigan traveling libraries, and for printing and binding, making an appropriation therefor and to provide a tax to meet the same;

With the recommendation that the bill pass.

ERASTUS N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Finance and Appropriations:
The Committee on Finance and Appropriations reports
Senate bill No. 25 (file No. 22), entitled

A bill making an appropriation for the State Board of Library Commissioners for the special purposes of defraying the expenses of organization of existing and new libraries, and for the expense of library institutes and training schools, and for the general expenses of the board for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same;

With the recommendation that the bill pass.

ERASTUS N. BATES,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Fisheries:
The Committee on Fisheries reports
Senate bill No. 194 (file No. 178), entitled

A bill to regulate the taking of fish in the waters of Lakes Superior, Michigan, Huron and Erie, the bays thereof, and the connecting waters between said lakes, within the jurisdiction of this State, and to regulate the transportation, sale and possession of fish taken from said waters;

With the following amendments thereto:

1. By inserting in line 4 of section 2 after the word "Erie" the words "For the purpose of this act, the connecting waters between Lake Superior and Lake Huron shall be defined as all that part of the Straits of St. Mary in this State, extending from a line drawn straight from the most northerly point of Round Island to Point Aux Pins to a line drawn due east and west from the most southerly point of Lime Island."

2. By striking out of line 6 of section 2 the words "one-half mile of"

and inserting in lieu thereof the words "fifty rods in any direction from."

3. By inserting in line 7 of section 3 after the word "of" the words "not less than three and one-eighth inches nor more than."

4. By inserting in line 18 of section 3 after the word "pocket" the words "also that part of the tunnel inside of the pot, crib or pocket."

5. By striking out of line 19 of section 3 the words "one-half" and inserting in lieu thereof the words "one-quarter."

6. By inserting in line 19 of section 3 after the word "inches" the words "and such part of the tunnel as is outside of the pot, crib or pocket."

7. By striking out of line 19 of section 3 the word "and."

8. By striking out of line 20 of section 3 the words "or funnel."

9. By striking out of line 27 of section 3 the words "the leads, funnels and" and inserting in lieu thereof the words "a portion of the."

10. By inserting in line 27 of section 3 after the word "hearts" the words "or pots."

11. By inserting in line 34 of section 3 after the word "water" the words "Provided, however, That the meshes of pound nets used in taking pickerel or wall-eyed pike, perch, herring, chubs and other rough fish shall be extension measure as manufactured."

12. By striking out of line 1 of section 5 the words "to set or have in the water" and inserting in lieu thereof the words "to catch white fish or trout."

13. By inserting in line 2 of section 5 after the word "named" the word "in."

14. By striking out of line 4 of section 5 the words "or attempt to take or catch fish of any kind" and inserting in lieu thereof the words "white fish or trout."

15. By striking out of line 5 of section 5 the words "except with a hook and line held in the hand."

16. By inserting in line 2 of section 6 after the word "trout" the words "and pickerel or wall-eyed pike."

17. By striking out of line 5 of section 6 the word "herein."

18. By inserting in line 5 of section 6 after the word "for" the words "by law."

19. By inserting in line 16 of section 6 after the word "fisheries" the words "and representatives of the Michigan Fish Commission."

20. By inserting in line 17 of section 6 after the word "bureau" the words "or commission."

21. By inserting in line 10 of section 7 after the word "of" the words "ten per cent of."

22. By striking out of line 6 of section 8 the word "length" and inserting in lieu thereof the word "weight."

23. By striking out of line 7 of section 8 the words "fifteen inches" and inserting in lieu thereof the words "one pound."

24. By striking out of line 7 of section 8 the word "length" and inserting in lieu thereof the word "weight."

25. By striking out of line 7 of section 8 the words "eight inches" and inserting in lieu thereof the words "four ounces."

26. By striking out of line 8 of section 8 the word "fifteen" and inserting in lieu thereof the word "thirteen."

27. By inserting in line 10 of section 8 after the word "length" the words "or weight."

28. By inserting in line 9 of section 9 after the word "fish" the words "Provided, That the provisions of this section relative to white bass shall not apply to the waters of Lake Erie which are within the boundaries of this State."

29. By striking out of line 4 of section 11 the words "pockets or cribs" and inserting in lieu thereof the words "hearts or pots."

30. By striking out of line 5 of section 11 the word "white."

31. By inserting in line 6 of section 11 after the word "flags" the words "buoys or stakes."

32. By inserting in line 4 of section 12 after the word "shall" the words "on or before February first of each year."

33. By striking out of line 4 of section 12 the words "the same."

34. By striking out of line 5 of section 12 the words "at the end of each month" and inserting in lieu thereof the words "the total number of pounds of each of the kinds of fish caught during the year ending December thirty-first preceding the filing of the report."

35. By striking out of line 3 of section 13 the words "not less than twenty-five dollars nor" and inserting in lieu thereof the word "not."

36. By striking out of line 8 of section 13 the word "fifty" and inserting in lieu thereof the word "twenty-five."

37. By inserting in line 3 of section 14 after the word "repealed" the words "Provided, nothing in this act shall be held to repeal any local act which prohibits the setting of nets in bays;"

Recommend that the amendments be concurred in, and that when so amended, the bill pass.

F. R. MING,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Ming moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Agricultural College:

The Committee on Agricultural College reports

Senate bill No. 263 (file No. 251), entitled

A bill to revise the laws relating to the State Agricultural College, to prescribe the powers and duties of the State Board of Agriculture and to repeal all acts and parts of acts inconsistent with the provisions of this act;

With the recommendation that the bill pass.

L. WHITNEY WATKINS,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:

The Committee on State Affairs reports

Senate bill No. 228 (file No. 217), entitled

A bill to amend sections 4 and 7 of Act No. 192 of the Public Acts of 1871, entitled "An act to provide for the appointment of a board of commissioners for the general supervision of penal, pauper and reformatory institutions, and defining their duties and powers," as amended, same being compiler's sections 2253 and 2256 of the Compiled Laws of 1897, and to add a new section thereto to be known as section 11;

With the following amendments thereto:

1. By striking out of line 15 of section 4 the word "seven" and inserting in lieu thereof the word "six."

2. By striking out of line 15 of section 4 the words "five hundred."

3. By striking out of line 21 of section 7 the word "seven" and inserting in lieu thereof the word "six."

4. By striking out of line 22 of section 7 the words "five hundred."

5. By striking out of line 22 of section 7 the words "the secretary is hereby required to furnish."

6. By striking out lines 23, 24 and 25 of section 7;

With the recommendation that the amendments be concurred in and that when so amended the bill be referred to the Committee on Finance and Appropriations.

F. R. MING,
Acting Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Ming moved that the Senate concur in the amendments and in the recommendation of the committee that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed and the bill was so referred.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 227 (file No. 216), entitled

A bill allowing certain persons to be made defendants in proceedings in chancery, and prescribing the procedure and effect thereof;

With the following amendment thereto:

By striking out of line 25 of section 1 the word "three" and inserting in lieu thereof the word "four;"

Recommend that the amendment be concurred in, and that when so amended, the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Moriarty moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

Mr. Moriarty moved that the above entitled bill be placed at the head of the general order.

The motion prevailed.

By the Committee on Judiciary:

The Committee on Judiciary reports

Senate bill No. 249 (file No. 238), entitled

A bill to amend section 6 of Act No. 184 of the Public Acts of 1905, entitled "An act to provide for the indeterminate sentence as a punishment for crime, upon the conviction thereof, and for the detention and release of persons in prison or detained on such sentence, and for the expense attending the same," approved June 7, 1905, and to add three new sections to said act to stand as sections 18, 19 and 20;

With the following amendments thereto:

1. By inserting in line 4 of section 20 after the word "shall" the words "upon the approval of the Secretary of the Advisory Board in the Matter of Pardons."

2. By inserting in line 4 of section 20 after the word "paid" the words "from the general fund of the State not otherwise appropriated."

3. By striking out of line 5 of section 20 the words "by each paroled prisoner;"

Recommend that the amendments be concurred in, and that when so amended, the bill pass.

FRED C. WETMORE,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Wetmore moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on State Tuberculosis Sanatorium:

The Committee on State Tuberculosis Sanatorium reports

Senate bill No. 113 (file No. 102), entitled

A bill making appropriations for the State Sanatorium for current expenses and for building and special purposes for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same;

With the following amendments thereto:

1. By striking out of line 1 of section 2 the words "sixty-eight thousand five hundred" and inserting in lieu thereof the words "forty-nine thousand seven hundred fifty."

2. By striking out of line 4 of section 2 the word "twelve" and inserting in lieu thereof the word "ten."

3. By striking out line 6 of section 2.

4. By striking out of line 7 of section 2 the words "carriage barn, two thousand dollars."

5. By striking out of line 8 of section 2 the words "for hennery, one thousand dollars."

6. By striking out of lines 9 and 10 of section 2 after the word "walks" the words "one thousand dollars; for grading one thousand dollars" and inserting in lieu thereof the words "five hundred dollars."

7. By striking out of line 11 of section 2 the words "five hundred" and inserting in lieu thereof the words "two hundred fifty."

8. By striking out of line 14 of section 2 the words "for furniture for superintendent's house, two thousand dollars."

9. By striking out of line 9 of section 3 the words "sixty-eight thousand five hundred" and inserting in lieu thereof the words "forty-nine thousand seven hundred fifty;"

10. By striking out of line 2 of section 5 the words "seventy-eight thousand five hundred" and inserting in lieu thereof the words "fifty-nine thousand seven hundred fifty."

Recommend that the amendments be concurred in, and that when so amended the bill be referred to the Committee on Finance and Appropriations.

EARL FAIRBANKS,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Fairbanks moved that the Senate concur in the amendments and in the recommendation of the committee that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed and the bill was so referred.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
April 20, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 337 (file No. 209), entitled

A bill to amend section 15 of article 4 of Act No. 198 of the laws of 1873, entitled "An act to revise the laws providing for the incorporation of the railroad bridge and tunnel companies and to regulate the running and management, and to fix the duties and liabilities of all railroad, bridge, tunnel and other corporation owning or operating any railroad, bridge or tunnel within this State," said section 15 being compiler's section 6294 of the Compiled Laws of 1897, as amended;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Railroads.

The following message from the House was also received and read:

House of Representatives,
April 20, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill Nos. 68, 272 and 273 (file No. 211), entitled

A bill to amend sections 1 and 2 of chapter 2, section 2 of chapter 3, section 1 of chapter 6, sections 1, 2, 3, 5 and 6 of chapter 9, of Act No. 254 of the Public Acts of 1897, entitled "An act to provide for the construction and maintenance of drains and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto," as amended, being sections 4310, 4311, 4319, 4354, 4386, 4387, 4388, 4390 and 4391, respectively, of the Compiled Laws of 1897;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Roads and Bridges.

The following message from the House was also received and read:

House of Representatives,
April 20, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 391 (file No. 212), entitled

A bill to authorize the county commissioners of schools in each county to call a meeting of the school officers of the county;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

The following message from the House was also received and read:

House of Representatives,
April 20, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 179 (file No. 180), entitled

A bill to provide for the organization of township school districts in the State of Michigan;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

The following message from the House was also received and read:

House of Representatives,

April 20, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 383 (file No. 202), entitled

A bill in relation to the collection of inheritance taxes, in certain cases;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,

April 20, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 111 (file No. 111), entitled

A bill to increase the efficiency of the military establishment of the State of Michigan, to make an appropriation therefor, and to repeal all former acts or parts of acts inconsistent with the provisions of this act;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Military Affairs.

The following message from the House was also received and read:

House of Representatives,
April 20, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 203 (file No. 210), entitled

A bill to define and regulate common carriers and the receiving, transportation and delivery of persons and property, prevent the imposition of unreasonable rates, prevent unjust discrimination, insure adequate service, create the Michigan Railroad Commission, define the powers and duties thereof and to prescribe penalties for violations hereof;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING.

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Railroads.

The following message from the House was also received and read:

House of Representatives,
April 20, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 83 (file No. 203), entitled

A bill to provide for the payment of tuition in and transportation to another district, of children who have completed the eighth grade in any school district; and to repeal Act No. 190 of the Public Acts of 1903 and all other acts and parts of acts in anywise contravening the provisions of this act;

And to inform the Senate that the House has amended the same as follows:

1. By striking out of line 6 of section 1 the word "five."
2. By inserting in line 6 of section 1 after the word "pupil" the words "unless the voters appropriate a larger sum at the annual meeting."
3. By striking out of line 7 of section 1 the words "expense and."
4. By inserting in line 19 of section 1 after the word "any" the words "surplus."
5. By striking out of line 20 of section 1 the words "defraying such expenses and" and inserting in lieu thereof the words "paying necessary;"

And that in the passage of the bill, as thus amended, the House has concurred.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The question being on concurring in the amendments made to the bill by the House,

Mr. Tuttle moved that the Senate concur.

The motion prevailed, a majority of the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Taylor
Anhut	Foster	Ming	Tuttle
Barnaby	Fowle	Moriarty	Ward
Bates	Fox	Newton	Weter
Bolt	Kingman	Scott	Wetmore
Bradley	Kline	Shields	White
Collins	Krueger	Smith	Whitney
Dickinson			

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NAYS.

Mr. Watkins

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The bill was referred to the Secretary for printing and presentation to the Governor.

INTRODUCTION OF BILLS.

Mr. Fox introduced
Senate bill No. 289, entitled

A bill to provide for the appointment of a commission to represent the State of Michigan at the centennial anniversary of the battle of Lake Erie, to be held at Put in Bay Island in the year 1913, and to make an appropriation therefor.

The bill was read a first and second time by its title and referred to the Committee on Military Affairs.

Mr. Wetmore introduced
Senate bill No. 290, entitled

A bill to provide for the sale of real estate or any interest therein under license of the probate court by executors, administrators and guardians in certain cases.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Wetmore introduced
Senate bill No. 291, entitled

A bill to amend section 22 of Act No. 190 of the Public Acts of 1891, as amended, entitled "An act to prescribe the manner of conducting

and to prevent fraud and deceptions at elections in this State," said section being compiler's section 3632 of the Compiled Laws of 1897."

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Elections.

Mr. Moriarty moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Smith to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 227 (file No. 216), entitled

A bill allowing certain persons to be made defendants in proceedings in chancery and prescribing the procedure and effect thereof;

Also:

Senate bill No. 223 (file No. 211), entitled

A bill to amend section 36 of chapter 176 of the Compiled Laws of 1871, relative to courts of chancery, as amended by Act No. 260 of the Public Acts of 1887, the same being compiler's section 448 of the Compiled Laws of 1897;

Also:

Senate bill No. 230 (file No. 219), entitled

A bill establishing a lien for labor and services upon the property of any corporation organized for the purpose of mining coal, shale or clay;

Also:

Senate bill No. 124 (file No. 110), entitled

A bill to amend section 6 of Act No. 80 of the Session Laws of 1855, entitled "An act to authorize the formation of county and town agricultural societies," the same being section 5958 of the Compiled Laws of 1897;

Also:

Senate bill No. 201 (file No. 187), entitled

A bill designating the twelfth day of October of each year as a public holiday to be known as "Columbus Day;"

Also:

Senate bill No. 214 (file No. 200), entitled

A bill to provide for the transfer to the current expense fund of certain unexpended appropriations for the Industrial Home for Girls;

Also:

Senate bill No. 50 (file No. 46), entitled

A bill fixing the time when members of the State Board of Education shall be elected;

Also:

Senate bill No. 222 (file No. 210), entitled

A bill to amend section 11 of Act No. 194 of the Public Acts of 1889, entitled "An act to revise and consolidate the laws relative to the State Board of Education," said section being compiler's section 1822 of the Compiled Laws of 1897;

Also:

Senate bill No. 257 (file No. 246), entitled

A bill to repeal section 9 and to amend sections 3 and 12 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," being compiler's sections 4816, 4810 and 4819 of the Compiled Laws of 1897;

Also:

Senate bill No. 177 (file No. 161), entitled

A bill to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems and providing penalties for the violation thereof;

Also:

Senate bill No. 209 (file No. 195), entitled

A bill to provide that decrees of divorce shall make provision in satisfaction of the claims of the wife in the property of the husband, to change the tenure of lands owned by husband and wife in case of divorce, and to provide for the disposition or partition of such lands or the proceeds thereof;

Also:

House bill No. 301 (file No. 146), entitled

A bill to amend section 3 of chapter 16 of the Revised Statutes of 1846, entitled "Of the powers and duties of townships and election and duties of township officers," the same being section 2269 of the Compiled Laws of 1897;

Also:

House bill No. 117 (file No. 147), entitled

A bill to amend sections 19 and 21 of chapter 18 of the Revised Statutes of 1846, entitled "Of fences and fence viewers; of pounds and the impounding of cattle," being compiler's sections 2433 and 2435 of the Compiled Laws of 1897;

Also:

Senate bill No. 252 (file No. 241), entitled

A bill to authorize townships to grant public utility franchises and to provide for the submission of such grants to the electors for confirmation;

Also:

Senate substitute for

House bill No. 314 (file No. 138), entitled

A bill to amend section 29 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May 29, 1897, the same being compiler's

section 391 of the Compiled Laws of 1897, as amended by Act No. 17 of the Public Acts of 1905;

Also:

Senate bill No. 260 (file No. 249), entitled

A bill to amend section 10 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," as amended by section 10 of Act No. 148 of the Public Acts of 1905;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate bill No. 184 (file No. 168), entitled

A bill in relation to the boundaries of school districts in cities;

Also:

Senate bill No. 178 (file No. 162), entitled

A bill to provide for suits in equity, to quiet the title to real estate, and for determining the validity, nature or extent of incumbrances upon or uncertainties in or to the title to real estate by possible or doubtful conditions, restrictions, reservations, stipulations or agreements in any deed, will, conveyance or any other writing of record, whether void upon its face or not, and to include as defendants herein the unknown grantees, heirs or devisees of claimants and the stockholders and creditors of defunct corporations and partnership associations;

Also:

Senate bill No. 236 (file No. 225), entitled

A bill to limit the personal responsibility of city, township and county treasurers;

Also:

House bill No. 236 (file No. 158), entitled

A bill to amend section 4 of Act No. 200 of the Public Acts of 1905, entitled "An act to provide for the compulsory education of children, for penalties for failure to comply with the provisions of this act, and to repeal all acts or parts of acts conflicting with the provisions of the same;"

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in, and recommend that, as amended, the bills pass.

Also:

Senate bill No. 240 (file No. 229), entitled

A bill to change the names of John Theodore Sjoordema, George Sjoordema, Theodore Sjoordema, William Sjoordema and Orsalena Sjoordema, to John Sjoordema Sherman, George Sjoordema Sherman, Theodore Sjoordema Sherman, William Sjoordema Sherman and Orsalena Sjoordema Sherman, respectively;

And has directed its chairman to report the same back to the Senate, with the recommendation that the bill be re-referred to the Committee on State Affairs.

Also:

Senate bill No. 149 (file No. 135), entitled

A bill to amend section 2 of Act No. 264 of the Public Acts of 1889, entitled "An act relative to disorderly persons and to repeal chapter 53 of the Compiled Laws of 1871, as amended by several acts amendatory thereof," approved July 5, 1899, as amended by Act No. 190 of the Public Acts of 1895, entitled "An act to amend section 2 of Act No. 264 of the Public Acts of 1889, entitled 'An act relative to disorderly persons and to repeal chapter 53 of the Compiled Laws of 1871, as amended by the several acts amendatory thereof,' approved July 5, 1889, the same being section 1997 of Howell's Annotated Statutes, and to add a new section thereto to stand as section 6," approved May 22, 1895, the same being compiler's section 5924, of the Compiled Laws of 1897;

And has directed its chairman to report the same back to the Senate, with the recommendation that the bill be re-referred to the Committee on Judiciary.

The Senate concurred in the recommendation of the committee regarding the first sixteen bills named in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendments made to the seventeenth, eighteenth, nineteenth and twentieth named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the recommendation of the committee regarding the twenty-first named bill in the report and the bill was re-referred to the Committee on State Affairs.

The Senate concurred in the recommendation of the committee regarding the twenty-second named bill in the report and the bill was re-referred to the Committee on Judiciary.

Mr. Ward, by unanimous consent, moved that when the Senate adjourns today, it stand adjourned until tomorrow at 9 o'clock a. m.

The motion prevailed.

THIRD READING OF BILLS.

Senate bill No. 188 (file No. 172), entitled

A bill in relation to the publication in newspapers of the time schedules of carriers of passengers within this State;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fowle	Mr. Ming	Mr. Ward
Barnaby	Fox	Newton	Watkins
Bates	Kingman	Scott	Weter
Bradley	Kline	Shields	Wetmore
Dickinson	Krueger	Snell	Whitney
Fairbanks	Mapes	Taylor	

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NAYS.

Mr. Anhut	Mr. Collins	Mr. Moriarty	Mr. Tuttle
Bolt	Foster	Smith	

The title of the bill was agreed to.

Senate bill No. 225 (file No. 213), entitled

A bill to amend sections 1, 16 and 25 of Act No. 207 of the Public Acts of 1889, approved June 29, 1889, entitled "An act to prohibit the manufacture, sale, keeping for sale, giving away, or furnishing of vinous, malt, brewed, fermented, spirituous or intoxicating liquors, or any mixed liquor or beverage, any part of which is intoxicating, and to prohibit the keeping of any saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of such liquors or beverages, and to suspend the general laws of the State relative to the taxation and regulation of the manufacture and sale of such liquors in the several counties of this State under certain circumstances; to authorize the qualified electors of the several counties of this State to express their will in regard to such prohibition by an election, and to authorize and empower the boards of supervisors of the several counties, after such election, if they shall determine the result to be in favor of such prohibition, to prohibit the manufacture, sale, keeping for sale, giving away or furnishing of any such liquors, or the keeping of a saloon or any other place for the manufacture, sale, storing for sale, giving away or furnishing of the same in their respective counties, and to provide for penalties and rights of action in case of its violation," as amended and added to by Act No. 183, of the Public Acts of 1899, approved April 18, 1899, and by Act No. 170, Public Acts of 1903, approved June 3, 1903, and to add 13 new sections to stand as sections 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Ward
Anhut	Fowle	Newton	Watkins
Barnaby	Fox	Scott	Weter
Bates	Kingman	Shields	Wetmore
Bradley	Kline	Snell	White
Dickinson	Krueger	Taylor	Whitney
Fairbanks	Mapes	Tuttle	

27

NAYS.

Mr. Bolt

Mr. Collins

Mr. Moriarty

Mr. Smith

4

The title of the bill was agreed to.

House bill No. 280 (file No. 132), entitled

A bill to amend section 2 of Act No. 148 of the Public Acts of 1873, entitled "An act relating to the accounting for money received and expended by certain officers," being section 1206 of the Compiled Laws of 1897;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Fowle moved to amend the bill by striking out all of section 2 after the word "thereof" in line 14 and inserting in lieu thereof the following: "Such abstract shall contain a statement of each and every voucher representing the disbursements of moneys by said institution for the period covered by said abstract. Said vouchers shall be numbered and corresponding numbers given the statement in said abstract. Said vouchers shall be carefully compared and checked with the abstract by members of the board of control or governing board of said institution. Such abstract shall contain a certificate in the following form:

Dated..... 19....

We hereby certify that the vouchers abstracted herein, being numberedto.....inclusive, with dates, names and amounts agreeing with this abstract, aggregating \$....., have been carefully examined by us and the several items charged in said vouchers are correct to the best of our knowledge and belief and we hereby approve each of said vouchers. Said certificate shall be signed by a majority of the board of control or governing board in attendance at the meeting at which said audit is made."

The amendment was received, a majority of all the Senators present voting therefor.

The question being on the adoption of the amendment,

Mr. Tuttle demanded the yeas and nays.

Mr. Ming moved that the Senate adjourn, the time being 6:10 o'clock p. m.

The motion did not prevail.

After debate

Mr. Mapes moved the previous question,

Which motion was seconded.

The question being, "Shall the main question now be put?"

The same was ordered.

The question being on the adoption of the amendment offered by Mr. Fowle,

The amendment was then not adopted, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fowle	Mr. Ming	Mr. Ward	
Anhut	Kingman	Moriarty	Wetmore	
Bates	Kline	Smith	White	
Foster	Krueger	Taylor		15

NAYS.

Mr. Barnaby	Mr. Dickinson	Mr. Scott	Mr. Watkins	
Bolt	Fairbanks	Shields	Weter	
Bradley	Mapes	Snell	Whitney	
Collins	Newton	Tuttle		15

The question being on the passage of the bill,

Mr. Ming moved that the Senate adjourn.

On request of Mr. Aitkin

Mr. Ming withdrew his motion.

The question being on the passage of the bill,

Mr. Aitkin sent to the Secretary's desk a notice and asked unanimous consent to have the same read to the Senate.

Objection was raised by Mr. Scott.

Mr. Aitkin moved that the rules be suspended and that the Senate return to the order of Notices.

Mr. Tuttle arose to a point of order and stated that the question being on the passage of the bill, no other motion is in order at this time except a motion to adjourn.

The President declared the point of order well taken,

Whereupon Mr. Scott moved that the Senate adjourn.

On which motion Mr. Tuttle demanded the yeas and nays.

The motion made by Mr. Scott then prevailed, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Krueger	Mr. Smith	
Anhut	Fowle	Moriarty	Wetmore	
Bradley	Fox	Scott	White	
Dickinson	Kline	Shields	Whitney	
Fairbanks				17

NAYS.

Mr. Barnaby
Bates
Bolt
Collins

Mr. Kingman
Mapes
Ming
Newton

Mr. Snell
Taylor
Tuttle

Mr. Ward
Watkins
Weter

14

Whereupon the President declared the Senate adjourned until tomorrow at 9 o'clock a. m., the time being 6:30 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

SIXTY-FIFTH DAY.

Lansing, Thursday, April 22.

9 o'clock a. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Barnaby, Bates, Bolt, Bradley, Collins, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Kline, Krueger, Mapes, Ming, Moriarty, Newton, Shields, Smith, Snell, Taylor, Tuttle, Ward, Watkins, Weter, Wetmore, White, Whitney—30.

The following Senator was absent with leave: Mr. MacKay—1.

The following Senator was absent without leave: Mr. Scott—1.

Mr. Snell moved that leave of absence be granted to the absentee from today's session.

The motion prevailed.

PRESENTATION OF PETITIONS.

No. 875. By Mr. Dickinson: Petition of R. H. Walter and 61 other citizens of Barry county in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 876. By Mr. Fairbanks: Petition of Mark Barton and 29 other citizens of Croton, Newaygo county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 877. By Mr. Kline: Petition of Oliver Rose and 19 other citizens of Petersburg, Monroe county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 878. By Mr. Kline: Petition of Rev. V. Burton and 71 other citizens of Erie, Monroe county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 879. By Mr. Newton: Petition of G. B. Russell and 91 other citizens of Ypsilanti on the same subject.

The petition was referred to the Committee on Public Health.

No. 880. By Mr. Aitkin: Petition of William Steadman and 59 other citizens of Huron county on the same subject.

The petition was referred to the Committee on Public Health.

No. 881. By Mr. Kline: Petition of B. W. Baker and 62 other members of the Lenawee and Hillsdale Farmers' Club on the same subject.

The petition was referred to the Committee on Public Health.

No. 882. By Mr. Kline: Petition of L. E. Kidman and 25 other members of Adrian Grange No. 213, of Lenawee county, in favor of the passage of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 883. By Mr. Kline: Petition of L. E. Kidman and 25 other members of Adrian Grange No. 213, of Lenawee county, in favor of the passage of the Baker bill requiring telephone companies to interchange service.

The petition was referred to the Committee on State Affairs.

No. 884. By Mr. Foster: Protest of Camp No. 6023, M. W. of A., of Farwell, Clare county, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 885. By Mr. Foster: Protest of Central Camp No. 3009, Royal Neighbors of America, of Farwell, Clare county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 886. By Mr. Fairbanks: Protest of Marilla Camp No. 966, Royal Neighbors of America, of Copemish, Manistee county, on the same subject.

The protest was referred to the Committee on Insurance.

REPORTS OF STANDING COMMITTEES.

By the Committee on Banks and Corporations:

The Committee on Banks and Corporations reports

House bill No. 136 (file No. 189), entitled

A bill to amend sections 29 and 42 of Act No. 205 of the Public Acts of 1887, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," as amended, the same being compiler's sections 6118 and 6131 of the Compiled Laws of 1897, and to add three new sections thereto to stand as sections 12a, 29a and 55a;

With the recommendation that the bill pass.

F. B. KLINE,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Public Health:

The Committee on Public Health reports

House bill No. 81 (file No. 124) entitled

A bill to provide for the examination, regulation, licensing and registration of optometrists practicing optometry, and for the punishment of offenders against this act;

Without recommendation.

A. C. KINGMAN,

Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Claims and Public Accounts:

The Committee on Claims and Public Accounts reports

Senate bill No. 237 (file No. 226), entitled

A bill to create a department of public accounts, to provide for uniform accounts of public property and moneys, for uniform reports thereof, and for the audit of public offices and accounts; to prescribe penalties for violation of its provisions; and making appropriations to carry same into effect.

With the following amendments thereto:

1. By striking out of lines 9 and 10 of section 6 after the word "every" the words "twenty-four consecutive hours" and inserting in lieu thereof the words "business day."

2. By striking out of lines 13 and 14 of section 7 after the word "lodging" the words "not exceeding the sum of five dollars per day, in addition to cost of transportation."

3. By inserting in line 16 of section 7 after the comma "," the word "uniform."

4. By striking out of lines 19, 20, 21 and 22 of section 8 beginning with the word "and" the words "and to punish for disobedience of subpoenas, or refusal to be sworn, or to answer as a witness, or to produce books and papers, which is conferred by law upon courts or officers authorized to take depositions," and inserting in lieu thereof the following: "and any such witness who shall disobey the mandates of such subpoena, or refuse to be sworn, or to answer as a witness, or to produce books and papers, may, upon a showing of such failure or refusal, by a petition signed and sworn to by such Chief Accountant, or any one of his assistants, or any State examiner, to be filed with the Clerk of the Circuit Court of the county where such disobedience occurs, be cited by such Court to show cause at a time to be fixed by such court why such witness should not be found guilty of contempt and punished therefor, and upon such showing testimony may be taken and the court shall have power to punish in the same manner as in cases of disobedience of subpoenas issued out of the said Circuit Court."

5. By inserting in line 22 of section 8 after the word "examinations" the words "before such Chief Accountant, or any of his assistants, or any State examiner."

6. By striking out of line 29 of section 8 the words "an additional" and inserting in lieu thereof the word "a."

7. By inserting in line 30 of section 8 after the word "State" the words "and a copy to the Prosecuting Attorney of the County in which such malfeasance, misfeasance or nonfeasance occurs."

8. By striking out entire section 9 and inserting in lieu thereof the following "The expense of maintaining and operating the Department of Public Accounts shall be paid in the first instance out of the State treasury. The expense of the audit and supervision of the county offices of the several counties shall be charged by the proper State authority to the said counties respectively. The expense of the audit and supervision of all municipalities within the limits of the several counties, except as herein otherwise provided, shall be charged by the proper State authority to said municipalities respectively, and all such accounts shall be due when the audit has been made and the statement of expense therefor has been rendered and shall be paid to the Chief Accountant not later than the 31st day of December next succeeding the date when rendered and shall by the Chief Accountant be paid to the State Treasurer."

9. By striking out of line 3 of section 10 after the word "of" the word "ten" and inserting in lieu thereof the word "five."

10. By striking out of line 7 of section 10 after the word "of" the word "ten" and inserting in lieu thereof the word "five."

11. By striking out of lines 8 and 9 of section 10 after the words "before the" the words "first day of September" and inserting in lieu thereof the words "31st day of December."

12. By striking out of line 3 of section 11 after the word "accountant" the words "and under his direction, his assistants, are" and inserting in lieu thereof the word "is."

13. By striking out of line 4 of section 11 the words "to examine into and" and inserting in lieu thereof the word "to."

14. By inserting in line 5 of section 11 after the word "inspection" the words "once during the year 1910."

15. By striking out of line 6 of section 11 the word "their" and inserting in lieu thereof the word "his."

16. By striking out of line 8 of section 11 the period "." and inserting in lieu thereof a comma "," and adding the words "not exceeding in all two hundred dollars."

17. By striking out of line 2 of section 14 the word "adopted" and inserting in lieu thereof the words "formulated by this department, or by any officer, or employe thereof."

18. By striking out of lines 3 and 4 of section 14 the words "be deemed expedient by the Governor, that a copyright thereof."

19. By striking out of line 5 of section 15 after the word "back" the words "more than one year."

20. By adding to line 9 of section 15 after the period "." the words "It shall be the duty of said department to first formulate and have installed a uniform system of said accounting in the State offices and

State institutions, then in counties, then in cities, then in townships, then in school districts other than rural districts, then in rural school districts."

21. By striking out of line 4 of section 18 the word "ten" and inserting in lieu thereof the word "twenty."

22. By striking out of line 5 of section 18 the period "." and inserting in lieu thereof a comma "," and adding the following "and the Auditor is hereby directed to add to and incorporate into the State tax for the year 1909 the sum of ten thousand dollars, and the Auditor General is hereby directed to add to and incorporate into the State tax for the year of 1910 the sum of twenty thousand dollars which sums when collected shall be credited to the general fund to reimburse the same for the moneys appropriated by this act;"

Recommend that the amendments be concurred in, and that the bill be reprinted and referred to the Committee on Finance and Appropriations.

WILLIAM H. BRADLEY,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Bradley moved that the Senate concur in the amendments and in the recommendation of the committee that the bill be reprinted and referred to the Committee on Finance and Appropriations.

The motion prevailed and the bill was ordered reprinted and so referred.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
April 21, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 417 (file No. 215), entitled

A bill to enlarge and extend the powers and duties of circuit courts, circuit courts in chancery and superior courts of the State of Michigan;
And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
April 21, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 340 (file No. 213), entitled

A bill to amend section 1 of Act No. 166 of the Public Acts of 1901, as amended by Act No. 24 of the Public Acts of 1905, entitled "An act to define the legal qualifications of kindergarten, music and drawing teachers in the State;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

The following message from the House was also received and read:

House of Representatives,

April 21, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 386 (file No. 214), entitled

A bill to amend Act No. 144 of the Public Acts of 1901, as amended by Act No. 126 of the Public Acts of 1907, entitled "An act to provide for the establishment and maintenance of rural high schools;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

INTRODUCTION OF BILLS.

Mr. Snell introduced

Senate bill No. 292, entitled

A bill to provide for a specific tax upon all copper and iron ore mined within this State; to provide for the collection of such tax and the disposition thereof.

The bill was read a first and second time by its title and referred to the Committee on Taxation.

Mr. Anhut, by request, introduced

Senate bill No. 293, entitled

A bill to provide and fix the fees of circuit court commissioners and constables in counties having a population of two hundred thousand or more people.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Mapes introduced

Senate bill No. 294, entitled

A bill to amend section 3 of article 2 of Act No. 198 of the Public Acts of 1873, approved May 1, 1873, entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," said title having been amended by Act No. 266 of the Public Acts of 1899, approved June 23, 1899, and said section having been amended by Act No. 61 of the Public Acts of 1875, approved March 26, 1875, and Act No. 255 of the Public Acts of 1897, approved May 31, 1897, and being compiler's section 6228 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Railroads.

UNFINISHED BUSINESS.

The same being the consideration of

House bill No. 280 (file No. 132), entitled

A bill to amend section 2 of Act No. 148 of the Public Acts of 1873, entitled "An act relating to the accounting for money received and expended by certain officers," being section 1206 of the Compiled Laws of 1897;

The question being on the passage of the bill,

Mr. Fowle moved that the bill be laid on the table.

Mr. Tuttle arose to a point of order and stated that the previous question having been ordered yesterday on the amendment offered by Mr. Fowle and the question not having been limited, as provided in Rule 41 of the Senate Rules, the main question is now on the passage of the bill and that the motion to lay the bill on the table, made by Mr. Fowle, was not in order.

The President declared the point of order well taken.

The question being on the passage of the bill,

The bill was then not passed, a majority of all the Senators-elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Barnaby
Bolt
Bradley
Collins

Mr. Dickinson
Foster
Fox
Krueger

Mr. Mapes
Newton
Shields
Snell

Mr. Taylor
Tuttle
Watkins
Weter

16

NAYS.

Mr. Altkin
Anhut
Bates
Fairbanks

Mr. Fowle
Kingman
Kline
Ming

Mr. Moriarty
Smith
Ward

Mr. Wetmore
White
Whitney

14

Mr. Tuttle moved to reconsider the vote by which the Senate did not pass the above entitled bill.

Mr. Bates moved that the motion made by Mr. Tuttle be laid on the table,

On which motion Mr. Tuttle demanded the yeas and nays.

The motion made by Mr. Bates then did not prevail, a majority of all the Senators present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fowle	Mr. Ming	Mr. Ward	
Anhut	Kingman	Moriarty	Wetmore	
Bates	Kline	Smith	Whitney	12

NAYS.

Mr. Barnaby	Mr. Fairbanks	Mr. Newton	Mr. Tuttle	
Bolt	Foster	Shields	Watkins	
Bradley	Fox	Snell	Weter	
Collins	Krueger	Taylor	White	18
Dickinson	Mapes			

The question being on the motion made by Mr. Tuttle to reconsider the vote by which the Senate did not pass the above entitled bill,

Mr. Tuttle demanded the yeas and nays.

The motion then prevailed, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Barnaby	Mr. Foster	Mr. Newton	Mr. Tuttle	
Bolt	Fox	Shields	Watkins	
Bradley	Krueger	Snell	Weter	
Collins	Mapes	Taylor	White	17
Dickinson				

NAYS.

Mr. Aitkin	Mr. Fowle	Mr. Ming	Mr. Ward	
Anhut	Kingman	Moriarty	Wetmore	
Bates	Kline	Smith	Whitney	13
Fairbanks				

Mr. Tuttle moved that the bill be laid on the table.

The motion prevailed, a majority of all the Senators present voting therefor.

Mr. Ming moved that hereafter all appropriation bills be placed at the head of the General Order, including those on the General Order today.

The motion prevailed.

Mr. Mapes moved that the Senate take up the order of Third Reading of Bills.

The motion prevailed, two-thirds of all the Senators present voting therefor.

THIRD READING OF BILLS.

Senate bill No. 227 (file No. 216), entitled

A bill allowing certain persons to be made defendants in proceedings in chancery, and prescribing the procedure and effect thereof.

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Tuttle
Anhut	Fairbanks	Moriarty	Ward
Barnaby	Foster	Newton	Watkins
Bates	Fowle	Shields	Weter
Bolt	Kingman	Smith	Wetmore
Bradley	Kline	Snell	White
Collins	Krueger	Taylor	Whitney

28

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 230 (file No. 219), entitled

A bill establishing a lien for labor and services upon the property of any corporation organized for the purpose of mining coal, shale or clay;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Taylor
Anhut	Foster	Moriarty	Tuttle
Barnaby	Fowle	Newton	Watkins
Bates	Fox	Shields	Wetmore
Bradley	Kingman	Smith	White
Collins	Kline	Snell	Whitney
Dickinson	Krueger		

26

NAYS.

Mr. Weter.

1

The title of the bill was agreed to.

Senate bill No. 124 (file No. 110), entitled

A bill to amend section 6 of Act No. 80 of the Session Laws of 1855, entitled "An act to authorize the formation of county and town agricultural societies," the same being section 5958 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Ward	
Anhut	Fowle	Shields	Watkins	
Barnaby	Fox	Smith	Weter	
Bates	Kingman	Snell	Wetmore	
Collins	Kline	Taylor	White	
Dickinson	Mapes	Tuttle	Whitney	
Fairbanks				25

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 201 (file No. 187), entitled

A bill designating the twelfth day of October of each year as a public holiday, to be known as "Columbus Day;"

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fowle	Mr. Newton	Mr. Watkins	
Anhut	Fox	Shields	Weter	
Barnaby	Mapes	Snell	White	
Dickinson	Moriarty	Tuttle	Whitney	
Foster				17

NAYS.

Mr. Bates	Mr. Fairbanks	Mr. Smith	Mr. Ward	
Collins	Kingman	Taylor		7

The title of the bill was agreed to.

Senate bill No. 214 (file No. 200), entitled

A bill to provide for the transfer to the current expense fund of certain unexpended appropriations for the Industrial Home for Girls;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Moriarty	Mr. Tuttle	
Anhut	Foster	Newton	Ward	
Barnaby	Fowle	Shields	Watkins	
Bates	Fox	Smith	Weter	
Bradley	Kingman	Snell	White	
Collins	Kline	Taylor	Whitney	
Dickinson	Mapes			26

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 50 (file No. 46), entitled

A bill fixing the time when members of the State Board of Education shall be elected;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Moriarty	Mr. Ward
Anhut	Fairbanks	Newton	Watkins
Barnaby	Foster	Shields	Weter
Bates	Fox	Snell	Wetmore
Bradley	Kline	Taylor	White
Collins	Mapes	Tuttle	Whitney

24

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 222 (file No. 210), entitled

A bill to amend section 11 of Act No. 194 of the Public Acts of 1889, entitled "An act to revise and consolidate the laws relative to the State Board of Education," said section being compiler's section 1822 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Taylor
Anhut	Fairbanks	Ming	Tuttle
Barnaby	Foster	Moriarty	Watkins
Bates	Fowle	Newton	Wetmore
Bradley	Kingman	Shields	White
Collins	Kline	Snell	Whitney

24

NAYS.

0

The title of the bill was agreed to.

House bill No. 236 (file No. 158), entitled

A bill to amend section 4 of Act No. 200 of the Public Acts of 1905, entitled "An act to provide for the compulsory education of children, for penalties for failure to comply with the provisions of this act, and to repeal all acts or parts of acts conflicting with the provisions of the same;"

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Tuttle
Anhut	Fairbanks	Moriarty	Watkins
Barnaby	Foster	Newton	Weter

Mr. Bates
Bradley
Collins

Mr. Fowle
Fox
Kline

Mr. Shields
Snell
Taylor

Mr. Wetmore
White
Whitney

24

. NAYS.

0

The title of the bill was agreed to.

Senate bill No. 257 (file No. 246), entitled

A bill to repeal section 9 and to amend sections 3 and 12 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," being compiler's sections 4816, 4810 and 4819 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Anhut
Barnaby
Bates
Bradley
Collins

Mr. Dickinson
Fairbanks
Foster
Fowle
Fox
Kingman

Mr. Kline
Mapes
Moriarty
Newton
Shields
Snell

Mr. Taylor
Tuttle
Watkins
Weter
White
Whitney

24

NAYS.

Mr. Wetmore

1

The title of the bill was agreed to.

Senate bill No. 260 (file No. 249), entitled

A bill to amend section 10 of Act No. 147 of the Public Acts of 1891, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," as amended by section 10 of Act No. 148 of the Public Acts of 1905;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin
Anhut
Barnaby
Bates
Bradley
Collins
Dickinson

Mr. Fairbanks
Foster
Fowle
Fox
Kingman
Kline

Mr. Mapes
Moriarty
Newton
Shields
Snell
Taylor

Mr. Tuttle
Watkins
Weter
Wetmore
White
Whitney

25

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 177 (file No. 161), entitled

A bill to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems and providing penalties for the violation thereof;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Tuttle
Anhut	Foster	Moriarty	Watkins
Barnaby	Fowle	Newton	Weter
Bates	Fox	Shields	Wetmore
Bradley	Kingman	Snell	White
Collins	Kline	Taylor	Whitney
Dickinson			

25

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 178 (file No. 162), entitled

A bill to provide for suits in equity to quiet the title to real estate, and for determining the validity, nature or extent of encumbrances upon or uncertainties in or to the title to real estate by possible or doubtful conditions, restrictions, reservations, stipulations or agreements in any deed, will, conveyance, or any other writing of record, whether void upon its face or not, and to include as defendants herein the unknown grantees, heirs or devisees of claimants and the stockholders and creditors of defunct corporations and partnership associations;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Mapes	Mr. Tuttle
Anhut	Foster	Moriarty	Watkins
Barnaby	Fowle	Newton	Weter
Bates	Fox	Shields	Wetmore
Bradley	Kingman	Snell	White
Collins	Kline	Taylor	Whitney
Dickinson			

25

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 209 (file No. 195), entitled

A bill to provide that decrees of divorce shall make provision in satisfaction of the claims of the wife in the property of the husband, to change the tenure of lands owned by husband and wife in case of divorce, and to provide for the disposition or partition of such lands or the proceeds thereof;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Newton	Mr. Watkins	
Anhut	Fairbanks	Shields	Weter	
Barnaby	Foster	Snell	Wetmore	
Bates	Kingman	Taylor	White	
Bradley	Mapes	Tuttle	Whitney	
Collins	Moriarty	Ward		23

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 236 (file No. 225), entitled

A bill to limit the personal responsibility of city, township and county treasurers;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Ward	
Anhut	Fowle	Newton	Watkins	
Bates	Fox	Shields	Weter	
Bolt	Kingman	Snell	Wetmore	
Bradley	Mapes	Taylor	White	
Dickinson	Ming	Tuttle	Whitney	
Fairbanks				25

NAYS.

0

The question being on agreeing to the title,

Mr. White moved to amend the title so as to read as follows:

"A bill to limit the personal responsibility of city, village, township, school district and county treasurers."

The motion prevailed, and the title of the bill was so amended.

The title of the bill as amended, was then agreed to.

House bill No. 301 (file No. 146), entitled

A bill to amend section 3 of chapter 16 of the Revised Statutes of 1846, entitled "Of the powers and duties of townships and election and duties of township officers," the same being section 2269 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Foster	Mr. Moriarty	Mr. Watkins	
Barnaby	Fowle	Newton	Weter	
Bolt	Kingman	Shields	Wetmore	
Bradley	Krueger	Snell	White	
Collins	Mapes	Taylor	Whitney	
Dickinson	Ming	Ward		23

NAYS.

0

The title of the bill was agreed to.

House bill No. 117 (file No. 147), entitled

A bill to amend sections 19 and 21 of chapter 18 of the Revised Statutes of 1846, entitled "Of fences and fence viewers; of pounds and the impounding of cattle," being compiler's sections 2433 and 2435 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Ward	
Anhut	Fowle	Moriarty	Watkins	
Barnaby	Fox	Newton	Weter	
Bolt	Kline	Shields	Wetmore	
Bradley	Krueger	Snell	White	
Collins	Mapes	Taylor	Whitney	
Dickinson				25

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 252 (file No. 241), entitled

A bill to authorize townships to grant public utility franchises and to provide for the submission of such grants to the electors for confirmation;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Mapes	Mr. Ward	
Anhut	Foster	Ming	Watkins	
Barnaby	Fowle	Moriarty	Weter	
Bolt	Fox	Newton	Wetmore	
Bradley	Kline	Shields	White	
Collins	Krueger	Snell	Whitney	
				24

NAYS.

0

The title of the bill was agreed to.

Senate substitute for

House bill No. 314 (file No. 138), entitled

A bill to amend section 29 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May 29, 1897, the same being compiler's section 391 of the Compiled Laws of 1897, as amended by Act No. 17 of the Public Acts of 1903.

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Mapes	Mr. Ward
Barnaby	Fowle	Ming	Watkins
Bolt	Fox	Moriarty	Weter
Bradley	Kingman	Newton	Wetmore
Collins	Kline	Shields	White
Dickinson	Krueger	Snell	Whitney
Fairbanks			

25

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 223 (file No. 211), entitled

A bill to amend section 36 of chapter 176 of the Compiled Laws of 1871, relative to courts of chancery, as amended by Act No. 260 of the Public Acts of 1887, the same being compiler's section 448 of the Compiled Laws of 1897;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fairbanks	Mr. Krueger	Mr. Snell
Barnaby	Foster	Mapes	Ward
Bolt	Fowle	Ming	Weter
Bradley	Fox	Moriarty	Wetmore
Collins	Kingman	Newton	White
Dickinson	Kline	Shields	Whitney

24

NAYS.

0

The title of the bill was agreed to.

Senate bill No. 119 (file No. 104), entitled

A bill to amend section 1 of Act No. 262 of the Public Acts of 1897, entitled "An act to require township boards to make public annually an itemized statement of the condition of the finances of the township, in relation to the receipts and disbursements made by the township board," said section being compiler's section 2350 of the Compiled Laws of 1897;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Fox moved to amend the bill by striking out all of section 1 after line 15 and inserting in lieu thereof the following:

"The said itemized statement shall be published in a newspaper published and circulated in the township or in a newspaper published in an adjoining township, and circulating in the township publishing the statement, or in a newspaper of general county circulation published in the county in which said township is located, on or before the Friday preceding the annual township meeting. Printed copies of such statement shall also be provided and at the opening of the polls at such annual township meeting be placed at a convenient place in the polling place where the voters can obtain them while the polls are open, enough

of such statements to be provided to supply one to each registered voter in the township: Provided: That the cost of such publication and printing of such statement together shall in no case exceed the regular legal rate of publication in this State."

The amendment was received, a majority of all the Senators present voting therefor.

The question being on the adoption of the amendment offered by Mr. Fox,

Mr. Whitney demanded the yeas and nays.

The amendment was then adopted, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Moriarty	Mr. Ward	
Anhut	Fowle	Newton	Weter	
Barnaby	Fox	Shields	Wetmore	
Bradley	Krueger	Snell	White	
Dickinson	Mapes	Tuttle		19

NAYS.

Mr. Bates	Mr. Collins	Mr. Kline	Mr. Watkins	
Bolt	Kingman	Taylor	Whitney	8

The question being on the passage of the bill,

The bill was then passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Foster	Mr. Ming	Mr. Ward	
Anhut	Fowle	Moriarty	Weter	
Bradley	Fox	Shields	Wetmore	
Dickinson	Krueger	Snell	White	
Fairbanks	Mapes	Tuttle		19

NAYS.

Mr. Bates	Mr. Collins	Mr. Kline	Mr. Watkins	
Bolt	Kingman	Taylor	Whitney	8

Mr. Taylor arose to a question of personal privilege and stated, in explanation of his vote on the above entitled bill, that he knew of no instance in his district where voters had been deceived by not receiving a previous statement of the financial condition of the township and believed that his constituents would object to the added expense and he had therefore voted "No" on the bill.

The title of the bill was then agreed to.

Mr. Ward, by unanimous consent, moved that the Senate resolve itself into the committee of the whole on the

SPECIAL ORDER

Previously designated for 2:30 o'clock p. m.

The motion prevailed, two-thirds of all the Senators present voting therefor.

The President called Mr. Taylor to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee of the whole has had under consideration the following bill,

Senate bill No. 269 (file No. 257), entitled

A bill to regulate the transmission of electricity through the public highways, streets and places of this State where the source of supply and place of use are in the same or different counties; and to regulate the charges to be made for electricity so transmitted; and to vest the Michigan Railroad Commission with certain powers and duties in regard thereto;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend its passage.

WALTER R. TAYLOR,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee, regarding the bill named in the report and the bill was placed on the order of third reading of bills.

Mr. Weter asked and obtained leave of absence for the Committee on State Affairs, consisting of Senators Ming, Newton, Weter and Barnaby, from the remainder of this morning's session.

Senator Scott entered the Senate Chamber and took his seat.

Mr. Wetmore moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Taylor to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 253 (file No. 242), entitled

A bill to authorize township boards to grant the right to use the highways, streets, alleys and other public places of any township for poles, wires, pipes or conduits or tracks for railways and to operate and maintain the same;

Also:

Senate bill No. 26 (file No. 23), entitled

A bill to provide for the purchase of books and other material for the Michigan State Library, and books and equipments for the Michigan traveling libraries, and for printing and binding, making an appropriation therefor and to provide a tax to meet the same;

Also:

Senate bill No. 25 (file No. 22), entitled

A bill making an appropriation for the State Board of Library Commissioners for the special purposes of defraying the expenses of organization of existing and new libraries, and for the expense of library institutes and training schools, and for the general expenses of the board for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate bill No. 137 (file No. 123), entitled

A bill to amend sections 3 and 5 of Act No. 109 of the Public Acts of 1907, entitled "An act to provide for the appointment of a bacteriologist by the State Board of Health; to provide for the purchase of the necessary appliances and apparatus for bacteriological examinations, and providing an appropriation therefor;"

Has made one amendment thereto, and has directed its chairman to report the same back to the Senate, asking that the amendment be concurred in, and recommend that, as amended, the bill pass.

Also:

House bill No. 156 (file No. 157), entitled

A bill to amend sections 17 and 20 of chapter 2, sections 3, 4, 9 and 25 of chapter 3 and sections 4, 5 and 6 of chapter 10 of Act 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all acts or parts of acts contravening the provisions of this act," being sections 4662, 4665, 4668, 4669, 4674, 4691, 4749, 4750 and 4751 of the Compiled Laws of 1897;

And has directed its chairman to report the same back to the Senate, but not having completed the consideration thereof, reports progress and asks leave to sit again on the bill.

WALTER R. TAYLOR,
Chairman.

The President pro tem. took the chair.

The report of the committee of the whole was accepted.

The Senate concurred in the recommendation of the committee regarding the first, second and third named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendment made to the fourth named bill in the report and the bill was placed on the order of third reading of bills.

The Senate concurred in the recommendation of the committee regarding the fifth named bill in the report and the committee was granted leave to sit again on the bill.

THIRD READING OF BILLS.

Senate bill No. 137 (file No. 123), entitled

A bill to amend sections 3 and 5 of Act No. 109 of the Public Acts of 1907, entitled "An act to provide for the appointment of a bacteriologist by the State Board of Health; to provide for the purchase of the necessary appliances and apparatus for bacteriological examinations, and providing an appropriation therefor;"

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Moriarty	Mr. Ward
Anhut	Foster	Scott	Watkins
Barnaby	Fowle	Shields	Wetmore
Bates	Fox	Smith	White
Bolt	Kline	Snell	Whitney
Bradley	Krueger	Tuttle	President protem
Collins	Mapes		26

NAYS.

0

The title of the bill was agreed to.

Mr. Moriarty moved that the bill be ordered to take immediate effect. The motion prevailed, two-thirds of all the Senators-elect voting therefor.

Senate bill No. 26 (file No. 23), entitled

A bill to provide for the purchase of books and other material for the Michigan State Library and books and equipments for the Michigan traveling libraries, and for printing and binding, making an appropriation therefor and to provide a tax to meet the same;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Dickinson	Mr. Moriarty	Mr. Watkins
Anhut	Foster	Newton	Weter
Barnaby	Fowle	Shields	Wetmore

Mr. Bates	Mr. Fox	Mr. Smith	Mr. White
Bolt	Kingman	Snell	Whitney
Bradley	Krueger	Tuttle	President protem
Collins	Mapes	Ward	27

NAYS.

0

The title of the bill was agreed to.

Mr. Moriarty moved that the bill be ordered to take immediate effect. The motion prevailed, two-thirds of all the Senators-elect voting therefor.

Senate bill No. 25 (file No. 22), entitled

A bill making an appropriation for the State Board of Library Commissioners for the special purposes of defraying the expenses of organization of existing and new libraries, and for the expense of library institutes and training schools, and for the general expenses of the board for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin	Mr. Fowle	Mr. Scott	Mr. Watkins
Anhut	Fox	Shields	Weter
Barnaby	Kline	Smith	Wetmore
Bates	Krueger	Snell	White
Collins	Mapes	Tuttle	Whitney
Dickinson	Moriarty	Ward	President protem
Foster	Newton		26

NAYS.

Mr. Bolt

1

The title of the bill was agreed to.

Mr. Tuttle moved that the bill be ordered to take immediate effect. The motion prevailed, two-thirds of all the Senators-elect voting therefor.

Senate bill No. 253 (file No. 242), entitled

A bill to authorize township boards to grant the right to use the highways, streets, alleys and other public places of any township for poles, wires, pipes or conduits, or tracks for railways and to operate and maintain the same;

Was read a third time and passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut	Mr. Foster	Mr. Moriarty	Mr. Tuttle
Barnaby	Fowle	Newton	Watkins
Bates	Fox	Scott	Wetmore
Bolt	Kline	Shields	White
Bradley	Krueger	Smith	Whitney
Collins	Mapes	Snell	President protem
Dickinson			25

NAYS.

0

The title of the bill was agreed to.

Mr. Moriarty moved that the Senate take a recess until 2:15 o'clock p. m.

The motion prevailed, the time being 12 o'clock m.

AFTER RECESS.

2:15 o'clock p. m.

The Senate was called to order by the President.

A quorum of the Senate was present.

SPECIAL ORDER.

2:15 o'clock p. m.

The President announced that the hour had arrived for the special order and laid before the Senate

Senate bills Nos. 162, 104, 120, 239 (file No. 277), entitled

A bill to provide for the incorporation of cities and for changing their boundaries.

Mr. Tuttle moved that the Senate resolve itself into the committee of the whole on the special order.

The motion prevailed.

The President called Mr. Kline to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee of the whole has had under consideration the above entitled bill,

Has made sundry amendments thereto and has directed its chairman to report the same back to the Senate, asking concurrence therein, but not having completed the consideration thereof, reports progress and asks leave to sit again on the bill.

F. B. KLINE,
Chairman.

The report was accepted.

The Senate concurred in the amendments and in the recommendation of the committee regarding the bill named in the report and the committee was granted leave to sit again on the bill.

The Senate resumed the regular order of business.

MESSAGES FROM THE GOVERNOR.

Executive Office, Lansing,
April 22, 1909.

To the President of the Senate:

Sir:—I have this day approved, signed and deposited in the office of the Secretary of State

Senate bill No. 65 (enrolled No. 16), being

An act limiting the amount which may be raised in any county in any one year by the board of supervisors.

Also:

Senate bill No. 99 (enrolled No. 17), being

An act to amend section 37 of Act No. 183 of the Public Acts of 1897, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," said section being compiler's section 399 of the Compiled Laws of 1897.

Also:

Senate bill No. 151 (enrolled No. 18), being

An act to amend section 51 of chapter 14 of the Revised Statutes of 1846, being compiler's section 2549 of the Compiled Laws of 1897, so as to provide for two judges of probate in certain cases.

Also:

Senate bill No. 36 (enrolled No. 24), being

An act to amend section 19 of Act No. 188 of the Public Acts of 1899, as amended by Act No. 195 of the Public Acts of 1903 and Act No. 155 of the Public Acts of 1907, entitled "An act to provide for the taxation of inheritances, transfers of property by will, transfer of property by the intestate laws of this State, or transfers of property by deed, grant, bargain,

sale, or gift made in contemplation of the death of the grantor, vendor or donor, or intended to take effect in possession or enjoyment at or after such death," to make an appropriation for the provisions of this act and to provide a tax therefor.

Respectfully,
FRED M. WARNER.
Governor.

The following message from the Governor was also received and read:

Executive Office, Lansing.
April 22, 1909.

To the President of the Senate:

Sir:—The general government and many of the states have within the last few years taken an active interest in measures looking toward the conservation of our natural resources and the replacement, as far as possible, of the inroads the present and past generations have made in the forests comprising especially in our own State our most valuable natural asset. That men should differ and honestly differ upon the details by which this great question can be worked out is to be expected, and is a fact that has been in evidence during the present session of the Legislature.

This is equally true of other important measures but differences of opinion have not prevented their passage, and there should be an earnest effort in this instance to harmonize and adjust differences and unite upon some measure that will place our State in line with the general progressive policy regarding forestry that prevails throughout the United States.

This communication has for its purpose the expressing of the wish that the session will not come to a close without the enactment of some law that shall have for its object a plan by which those who come after us may have a share of Michigan's great timber endowment.

Forestry legislation should be of two classes, preservative and constructive, and the importance of both of them is respectfully called to your attention.

Very respectfully,
FRED M. WARNER,
Governor.

The message was referred to the Committee on Forestry and State Lands.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that
Senate bill No. 281 (file No. 269);
Senate bill No. 282 (file No. 270);
Senate bill No. 283 (file No. 271);
Senate bill No. 284 (file No. 272);
Senate substitute for
Senate bills Nos. 162, 104, 120, 239 (file No. 277);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

PRESENTATION OF PETITIONS.

No. 887. By Mr. Whitney: Petition of John Harris and 50 other citizens of Saginaw in favor of the passage of legislation to preserve and build up the forests of the State.

The petition was referred to the Committee on Forestry and State Lands.

No. 888. By Mr. White: Protest of Delia Whitman and 22 other members of Star Camp No. 280, Royal Neighbors of America, of Niles, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 889. By Mr. White: Protest of Effie D. Wilson and 13 other members of Lily Camp No. 947, Royal Neighbors of America, of Dayton, Berrien county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 890. By Mr. White: Protest of Maggie Bronner and 19 other members of Willard Camp, Royal Neighbors of America, of Penn, Cass county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 891. By Mr. Anhut: Petition of J. J. Spangler and 87 other citizens of Detroit in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 892. By Mr. Bradley: Petition of G. H. Hutchins and 97 other citizens of Lake Odessa, Ionia county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 893. By Mr. Mapes: Petition of Arthur J. Free and 122 other citizens of Grand Rapids on the same subject.

The petition was referred to the Committee on Public Health.

No. 894. By Mr. Barnaby: Petition of Rev. Charles Oldfield and 148 other citizens of Cedar Springs, Kent county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 895. By Mr. Collins: Petition of William Boss and 189 other citizens of Bay City on the same subject.

The petition was referred to the Committee on Public Health.

No. 896. By Mr. Aitkin: Petition of Rev. A. Wood and 69 other citizens of Lexington, Sanilac county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 897. By Mr. Moriarty: Petition of George E. Bishop and 70 other citizens of Stambaugh, Iron county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 898. By Mr. Dickinson: Petition of H. A. Day and 119 other citizens of Barry, Barry county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 899. By Mr. Dickinson: Petition of William Moore and 110 other citizens of Freeport, Barry county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 900. By Mr. Dickinson: Petition of Dr. F. S. Hull and 104 other citizens of Thornapple, Barry county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 901. By Mr. Dickinson: Petition of Walter Montgomery and 91 other citizens of Rutland, Barry county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 902. By Mr. Kline: Petition of H. M. Judge and 812 other citizens of Adrian on the same subject.

The petition was referred to the Committee on Public Health.

No. 903. By Mr. Kline: Petition of R. H. Rogers and 178 other citizens of Hudson, Lenawee county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 904. By Mr. Kline: Petition of Ed. Gale and 310 other citizens of Montmorency, Lenawee county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 905. By Mr. Newton: Petition of W. P. Moore and 253 other citizens of Ann Arbor on the same subject.

The petition was referred to the Committee on Public Health.

No. 906. By Mr. Newton: Petition of Alvah W. Nash and 127 other citizens of Holly, Oakland county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 907. By Mr. Bates: Petition of L. L. Thompson and 119 other citizens of Allegan, Allegan county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 908. By Mr. Bates: Petition of Rev. Clarence W. Long and 44 other citizens of Allegan, Allegan county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 909. By Mr. Bates: Petition of John W. Foy and 84 other citizens of Martin, Allegan county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 910. By Mr. Bates: Petition of John Beal and 149 other citizens of Gobleville, Antwerp and Porter, Van Buren county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 911. By Mr. Bates: Petition of Charles Hawley and 125 other citizens of Paw Paw, Van Buren county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 912. By Mr. Tuttle: Petition of C. H. Warren and 169 other citizens of Shiawassee, Shiawassee county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 913. By Mr. Tuttle: Petition of Lowry Cameron and 602 other citizens of Lansing, on the same subject.

The petition was referred to the Committee on Public Health.

No. 914. By Mr. Tuttle: Petition of E. S. Andrews and 301 other citizens of Williamston, Ingham county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 915. By Mr. Bolt: Petition of Arthur Williams and 152 other citizens of Holland, Ottawa county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 916. By Mr. Bolt: Petition of William Comstock and 27 other citizens of Allendale, Ottawa county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 917. By Mr. Bolt: Petition of John VanDyk and 120 other citizens of Grand Haven, Ottawa county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 918. By Mr. Bolt: Petition of Carl Zimmerman and 149 other citizens of Coopersville, North Chester and Cheshire township, Ottawa county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 919. By Mr. Kingman: Petition of Dr. E. VanCamp and 149 other citizens of Athens, Calhoun county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 920. By Mr. Kingman: Petition of C. O. Draper and 187 other citizens of California, Branch county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 921. By Mr. Shields: Petition of E. E. Knight and 221 other citizens of Fenton, Genesee county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 922. By Mr. Shields: Petition of Frank H. Mapes and 167 other citizens of Gaines and Flushing, Genesee county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 923. By Mr. Shields: Petition of Jesse Loomis and 90 other citizens of Clayton, Genesee county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 924. By Mr. Shields: Petition of Robert R. Fox and 80 other citizens of Livingston county on the same subject.

The petition was referred to the Committee on Public Health.

No. 925. By Mr. Watkins: Petition of J. B. Robinson and 259 other citizens of Reading, Hillsdale county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 926. By Mr. Watkins: Petition of John H. Jones and 171 other citizens of Jackson on the same subject.

The petition was referred to the Committee on Public Health.

No. 927. By Mr. Watkins: Petition of Richard King and 162 other citizens of Parma, Jackson county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 928. By Mr. Watkins: Petition of Howard Moore and 125 other citizens of Hanover, Jackson county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 929. By Mr. White: Petition of Don W. Crook and 87 other citizens of Penn, Cass county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 930. By Mr. Whitney: Petition of Miles Fay and 115 other citizens of St. Charles, Taymouth and Albee, Saginaw county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 931. By Mr. Whitney: Petition of William Henderson and 116 other citizens of Saginaw on the same subject.

The petition was referred to the Committee on Public Health.

No. 932. By Mr. Weter: Petition of Rev. George L. Durr and 177 other citizens of Romeo, Macomb county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 933. By Mr. Weter: Petition of B. B. Ellsworth and 126 other citizens of Memphis, St. Clair county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 934. By Mr. Fox: Petition of Dr. Blake and 210 other citizens of Lapeer on the same subject.

The petition was referred to the Committee on Public Health.

No. 935. By Mr. Fox: Petition of Howard A. Field and 147 other citizens of Caro, Tuscola county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 936. By Mr. Fox: Petition of A. B. Coleman and 199 other citizens of Attica, Arcadia and Metamora, Lapeer county, on the same subject.

The petition was referred to the Committee on Public Health.

MOTIONS AND RESOLUTIONS.

Mr. Newton offered the following resolution:

Senate resolution No. 94.

Whereas, Through the generosity of Mr. Andrew Carnegie a corporation has been formed and liberally endowed known as The Carnegie Foundation for the Advancement of Teaching, the purpose of which is to encourage worthy persons to adopt the profession of teaching permanently by providing retiring allowances for professors and certain administrative officers in the institutions of higher learning after long service, and for the widows of professors; and

Whereas, The original endowment has been largely increased to admit of extending the benefits of retiring allowances to professors and certain administrative officers in tax-supported institutions and the widows of professors, in case the governing board applies for such admission, and the Legislature and Governor of the State approve such application; and

Whereas, The State Board of Education of Michigan, realizing the advantage that participation in said fund will give in securing and retaining the services of the best educators of the country, have made application to participate therein; therefore be it

Resolved by the Senate (the House of Representatives concurring), That the action of Mr. Carnegie in thus promoting the cause of higher

learning is deeply appreciated, and that the Legislature of Michigan hereby approves the course of the State Board of Education in asking that the professors and administrative officers and widows of professors of the Michigan State Normal College be included as beneficiaries of said fund; and be it further

Resolved, That this resolution when adopted by the Legislature, be presented to his Excellency, the Governor, for his approval.

The resolution was adopted.

Mr. Fowle moved that
Senate substitute for

House bill No. 75 (file No. 77), entitled

A bill to provide for the issuance and sale of interchangeable and transferable mileage books by certain railroads in the State of Michigan;

Now on the General Order, be printed for the use of the Senate.

The motion prevailed.

Mr. Moriarty moved that when the Senate adjourns today, it stand adjourned until tomorrow at 9 o'clock a. m.

The motion prevailed.

Mr. Moriarty moved that when the Senate adjourns tomorrow it stand adjourned until Monday, April 26, at 9 o'clock p. m.

The motion prevailed.

REPORTS OF STANDING COMMITTEES.

By the Committee on State Asylum:

The Committee on State Asylum reports

Senate bill No. 247 (file No. 236), entitled

A bill making appropriation for the State Asylum at Ionia, for the fiscal year ending June 30, 1910, for building and special purposes, and to provide a tax to meet the same;

With the following amendments thereto:

1. By striking out of line 2 of section 1 the words "fifty-six thousand eight hundred fifty" and inserting in lieu thereof the words "thirty-nine thousand eight hundred fifty."

2. By striking out of lines 7, 8 and 9 of section 1 the words "ten acres of land, one thousand dollars; aerial tramway, nine thousand five hundred dollars; electric plant, seven thousand five hundred dollars" and inserting in lieu thereof the words "for repair of damaged wall of airing court, one thousand dollars."

3. By striking out of line 6 of section 2 the words "fifty-six thousand eight hundred fifty" and inserting in lieu thereof the words "thirty-nine thousand eight hundred fifty."

4. By striking out of line 2 of section 4 the words "fifty-six thousand eight hundred fifty" and inserting in lieu thereof the words "thirty-nine thousand eight hundred fifty;"

Recommend that the amendments be concurred in, and that when so amended the bill be referred to the Committee on Finance and Appropriations.

EUGENE FOSTER,
Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Foster moved that the Senate concur in the amendments and in the recommendation of the committee that the bill be referred to the Committee on Finance and Appropriations.

The motion prevailed and the bill was so referred.

By the Committee on Insurance:

The Committee on Insurance reports

Senate bill No. 271 (file No. 259), entitled

A bill to provide for the incorporation and regulation of co-operative and mutual protective associations of railway conductors and engineers;

With the recommendation that the bill pass.

J. H. WHITNEY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Insurance:

The Committee on Insurance reports

House bill No. 209 (file No. 137), entitled

A bill to amend section 2 of Act No. 318 of the Public Acts of 1907, entitled "An act to provide for the incorporation of mutual benefit societies, membership in which is confined to members of a particular religious denomination;"

With the recommendation that the bill pass.

J. H. WHITNEY,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Elections:

The Committee on Elections reports

House bill No. 39 (file No. 116), entitled

A bill to provide for election of members of the State Board of Agriculture;

With the recommendation that the bill pass.

L. D. DICKINSON,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Supplies and Expenses:

The Committee on Supplies and Expenses reports the following accounts:

M. J. & B. M. Buck	\$49 50
American Laundry	9 38
Underwood Typewriter Co.	8 00
Gurdon B. Smith	1 50
Citizens Telephone Co.	1 35
Remington Typewriter Co.	6 00
West Disinfecting Co.	5 00
Crotty Bros.	2 00
Richmond & Backus	4 50
Western Union Telegraph Co.	40
E. V. Chilson	12 00

With the recommendation that the accounts be allowed and orders drawn for the same.

HORACE T. BARNABY, JR.,
Chairman.

The report was accepted and adopted and the accounts ordered paid.

INTRODUCTION OF BILLS.

Mr. Weter introduced

Senate bill No. 295, entitled

A bill to create a board of control of the St. Clair flats, and to define its powers and duties.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Weter introduced

Senate bill No. 296, entitled

A bill to provide for the assessment of buildings and other improvements situated on lands owned or held by the State to the owners thereof, and to provide for the collection of taxes thereon.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Kline introduced

Senate bill No. 297, entitled

A bill to amend section 135 of Act No. 206 of the Public Acts of 1893, approved June 1, 1893, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal Act No. 200 of the Public Acts of 1891, and all other acts and parts of acts in anywise contravening any of the provisions of this act," as amended by Act No. 154 of the

Public Acts of 1895, approved May 18, 1895, said section being compiler's section 3957 of the Compiled Laws of 1897.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Taxation.

Mr. Weter introduced

Senate bill No. 298, entitled

A bill to amend section 1 of Act No. 46 of the Public Acts of 1907.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on State Affairs.

Mr. Taylor introduced

Senate bill No. 299, entitled

A bill to provide for the publication and distribution of additional copies of the debates of the Constitutional Convention of 1907.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Printing.

Mr. Collins introduced

Senate bill No. 300, entitled

A bill to amend section 1 of Act No. 200 of the Public Acts of 1905, entitled "An act to provide for the compulsory education of children, for penalties for failure to comply with the provisions of this act, and to repeal all acts or parts of acts conflicting with the provisions of the same," as amended by Act No. 74 of the Public Acts of 1907, entitled "An act to amend sections 1, 2, 3 and 4 of Act No. 200 of the Public Acts of 1905, entitled 'An act to provide for the compulsory education of children, for penalties for failure to comply with the provisions of this act, and to repeal all acts or parts of acts conflicting with the provisions of the same,' and to repeal all acts or parts of acts conflicting with the provisions of the same.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Education and Public Schools.

Mr. Whitney introduced

Senate bill No. 301, entitled

A bill to prohibit a reckless and wanton assault, or assault and battery upon any person or persons, and providing a penalty therefor.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Watkins introduced

Senate bill No. 302, entitled

A bill to regulate the taking of fish from the inland waters of this State, and to prohibit the sale of fish taken from the said waters.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Fisheries.

Mr. Moriarty introduced

Senate bill No. 303, entitled

A bill to authorize the village of Stambaugh, a municipal corporation in the county of Iron, to raise money, by bonding the village, for the purpose of acquiring an adequate water supply and for other public purposes.

The bill was read a first and second time by its title, ordered printed and referred to the Committee on Cities and Villages.

Mr. Moriarty introduced

Senate bill No. 304, entitled

A bill to authorize the boards of health of all townships in the State of Michigan to empower the clerks of said boards to execute perpetual leases of cemetery lots to persons applying therefor, and to declare valid any such leases heretofore executed.

The bill was read a first and second time by its title, ordered printed and referred to the Committee on Judiciary.

Mr. Anhut asked and obtained leave of absence for Mr. Snell from the remainder of today's session and from the sessions of tomorrow and Monday.

Messrs. Newton and Wetmore asked and obtained leaves of absence for themselves from the remainder of today's session and from the sessions of tomorrow and Monday.

Messrs. Kingman, Kline, Scott, White and Whitney asked and obtained leaves of absence for themselves from the sessions of tomorrow and Monday.

Messrs. Aitkin, Anhut, Dickinson, Mapes and Tuttle asked and obtained leaves of absence for themselves from tomorrow's session.

Mr. Shields asked and obtained leave of absence from the remainder of today's session and tomorrow's session.

Mr. Weter asked and obtained leave of absence for Mr. Ward from the remainder of today's session and from tomorrow's session.

Mr. Weter asked and obtained leave of absence for himself from the session of Monday.

Mr. Kline asked and obtained leave of absence for Mr. Fairbanks from the remainder of today's session and tomorrow's session.

Mr. Whitney asked and obtained leave of absence for Mr. Watkins from the remainder of today's session and tomorrow's session.

Mr. Aitkin asked and obtained leave of absence for Mr. Ming from the remainder of today's session and tomorrow's session.

Mr. Tuttle moved that the Senate take a recess until 7:30 o'clock p. m.,

On which motion Mr. Taylor demanded the yeas and nays.

The motion made by Mr. Tuttle then prevailed, a majority of all the Senators present voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Atkin	Mr. Fowle	Mr. Mapes	Mr. Tuttle
Barnaby	Fox	Moriarty	Watkins
Bates	Kingman	Newton	Weter
Bolt	Kline	Shields	White
Collins	Krueger	Taylor	Whitney
Dickinson			

NAYS.

Mr. Anhut	Mr. Foster	Mr. Smith	3
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Whereupon the President declared the Senate in recess until 7:30 o'clock p. m., the time being 6 o'clock p. m.

AFTER RECESS.

7:30 o'clock p. m.

The Senate was called to order by the President.

A quorum of the Senate was present.

Mr. Moriarty moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President called Mr. Fox to the chair.

After some time spent therein, the committee rose, and through its chairman made the following report:

The committee has had under consideration the following:

House bill No. 218 (file No. 129), entitled

A bill to provide for the incorporation of lodges of the Kalevan Bitariti;

Also:

House bill No. 242 (file No. 96), entitled

A bill to amend section 2 of Act No. 264 of the Public Acts of 1889, entitled "An act relative to disorderly persons and to repeal chapter 53 of the Compiled Laws of 1871, as amended by the several acts amendatory thereof," approved July 5, 1889, as amended by Act No.

190 of the Public Acts of 1895, entitled "An act to amend section 2 of Act No. 264 of the Public Acts of 1889, entitled 'An act relative to disorderly persons and to repeal chapter 53 of the Compiled Laws of 1871, as amended by the several acts amendatory thereof,' approved July 5, 1889, the same being section 1997a-1 of Howell's Annotated Statutes, and to add a new section thereto to stand as section six," approved May 22, 1895, the same being section 5924 of the Compiled Laws of 1897;

Also:

Senate bill No. 208 (file No. 194), entitled

A bill to regulate the proceedings of Presidential Electors, defining their duties and compensation, and prescribing the duties of the Secretary of State in relation thereto;

Also:

House bill No. 390 (file No. 191), entitled

A bill to provide for the submission to the qualified electors of the township of Prairieville in the county of Barry and State of Michigan the question of the relief of Kirk H. Brouard, township treasurer of the township of Prairieville in said county, from liability, on account of the loss of the township funds through the failure of the Richland Union Bank of Richland, Michigan;

Also:

House bill No. 247 (file No. 160), entitled

A bill to provide for the construction and maintenance of dams in drains and the better maintenance of drainage work by embanking, pumping or other mechanical operation, and the assessment and collection of taxes therefor;

Also:

House bill No. 345 (file No. 168), entitled

A bill authorizing the transfer of any moneys credited to the "War Fund" to the general fund in the State Treasury;

Also:

House bill No. 263 (file No. 170), entitled

A bill to provide a tax to meet the amounts disbursed by the State for the several asylums for the support of patients under the several laws relating thereto;

Also:

House bill No. 262 (file No. 169), entitled

A bill to provide a tax to meet the amounts disbursed by the State for the current expenses of the Michigan State Prison, the State House of Correction and Branch Prison in the Upper Peninsula, and the Michigan Reformatory;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

House bill No. 156 (file No. 157), entitled

A bill to amend sections 17 and 20 of chapter 2, sections 3, 4, 9 and 25 of chapter 3 and sections 4, 5 and 6 of chapter 10 of Act 164 of the Public Acts of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all acts or parts of acts contravening the provisions of this act," being

sections 4662, 4665, 4668, 4669, 4674, 4691, 4749, 4750 and 4751 of the Compiled Laws of 1897;

Also:

Senate bill No. 249 (file No. 238), entitled

A bill to amend section 6 of Act No. 184 of the Public Acts of 1905, entitled "An act to provide for the indeterminate sentence as a punishment for crime, upon the conviction thereof, and for the detention and release of persons in prison or detained on such sentence, and for the expense attending the same," approved June 7, 1905, and to add three new sections to said act to stand as sections 18, 19 and 20;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in, and recommend that, as amended, the bills pass.

EDWIN G. FOX,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first eight bills named in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendments made to the ninth and tenth bills named in the report and the bills were placed on the order of third reading of bills.

Mr. Moriarty moved that the Senate adjourn.

The motion prevailed, the time being 9:30 o'clock p. m.

The President declared the Senate adjourned until tomorrow at 9 o'clock a. m.

ELBERT V. CHILSON,
Secretary of the Senate.

SIXTY-SIXTH DAY.

Lansing, Friday, April 23.

9 o'clock a. m.

The Senate met pursuant to adjournment and was called to order by the President.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Barnaby, Bates, Bolt, Collins, Foster, Fowle, Fox, Krueger, Moriarty, Smith, Taylor, Tuttle—12.

The following Senators were absent with leave: Messrs. Aitkin, Anhut, Dickinson, Fairbanks, Kingman, Kline, MacKay, Mapes, Ming, Newton, Scott, Shields, Snell, Ward, Watkins, Weter, Wetmore, White, Whitney—19.

The following Senator was absent without leave: Mr. Bradley—1.

The Secretary announced that there was not a quorum of the Senate present,

Whereupon the President declared the Senate adjourned until Monday, April 26, at 9 o'clock p. m.

ELBERT V. CHILSON,
Secretary of the Senate.

SIXTY-SEVENTH DAY.

Lansing, Monday, April 26.

9 o'clock p. m.

The Senate met pursuant to adjournment and was called to order by the President pro tem.

The roll of the Senate was called by the Secretary.

The following Senators were present: Messrs. Aitkin, Anhut, Bates, Bolt, Dickinson, Fairbanks, Foster, Fowle, Fox, Kingman, Krueger, Mapes, Moriarty, Newton, Shields, Smith, Taylor, Tuttle, Ward, Weter, White, President pro tem.—22.

The following Senators were absent with leave: Messrs. Kline, Scott, Snell, Wetmore, Whitney—5.

The following Senators were absent without leave: Messrs. Barnaby, Bradley, Collins, MacKay, Watkins—5.

Mr. Moriarty moved that leaves of absence be granted to the absentees from today's session.

The motion prevailed.

ANNOUNCEMENTS FROM THE SECRETARY.

Pursuant to Rule 9 of the Senate Rules, I respectfully report that

Senate bill No. 285 (file No. 273) ;
Senate bill No. 286 (file No. 274) ;
Senate bill No. 287 (file No. 275) ;
Senate bill No. 288 (file No. 276) ;
Senate bill No. 290 (file No. 278) ;
Senate bill No. 291 (file No. 279) ;
Senate bill No. 293 (file No. 280) ;
Senate bill No. 294 (file No. 281) ;
Senate substitute for
House bill No. 75 (file No. 282) ;
Senate bill No. 295 (file No. 283) ;
Senate bill No. 296 (file No. 284) ;
Senate bill No. 298 (file No. 286) ;
Reprint of
Senate bill No. 237 (file No. 226) ;
Senate bill No. 297 (file No. 285) ;
Senate bill No. 299 (file No. 287) ;
Senate bill No. 300 (file No. 288) ;

Senate bill No. 301 (file No. 289);

Senate bill No. 302 (file No. 290);

Senate bill No. 303 (file No. 291);

Senate bill No. 304 (file No. 292);

Have this day been received from the printer and are on file in the document room of the Senate.

ELBERT V. CHILSON,
Secretary of the Senate.

PRESENTATION OF PETITIONS.

No. 937. By Mr. Ming: Protest of Grace F. Haley and 9 other members of Maple Camp No. 1058, Royal Neighbors of America, of Elmira, Otsego county, against the passage of the minimum rate bill for fraternal insurance societies.

The protest was referred to the Committee on Insurance.

No. 938. By Mr. Fowle: Protest of Nancy Gasman and 18 other members of Camp No. 5344, Royal Neighbors of America, of Bark River, Delta county, on the same subject.

The protest was referred to the Committee on Insurance.

No. 939. By Mr. Taylor: Petition of E. W. Howlett and 21 other members of Grange No. 22 of Parkville, St. Joseph county, in favor of the Baker bill providing for the Torrens system of registration of land titles.

The petition was referred to the Committee on Taxation.

No. 940. By Mr. Ward: Petition of Fred H. Kinney and 99 other citizens of Ithaca, Gratiot county, in favor of the passage of the anti-cigarette bill.

The petition was referred to the Committee on Public Health.

No. 941. By Mr. Taylor: Petition of L. L. Joy and 113 other citizens of Galesburg, Kalamazoo county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 942. By Mr. Taylor: Petition of S. H. Hogle and 147 other citizens of Burr Oak, St. Joseph county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 943. By Mr. Fairbanks: Petition of Charles Stephenson and 168 other citizens of Crystal Valley and Ferry, Oceana county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 944. By Mr. Fairbanks: Petition of E. L. O'Brien and 338 other citizens of Shelby, Oceana county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 945. By Mr. Fairbanks: Petition of Tom Kelly and 87 other citizens of Lincoln, Newaygo county, on the same subject.

The petition was referred to the Committee on Public Health.

No. 946. By Mr. Fairbanks: Petition of F. M. Gleason and 111 other citizens of Copemish, Manistee county, on the same subject.

The petition was referred to the Committee on Public Health.

REPORTS OF STANDING COMMITTEES.

By the Committee on State Affairs:

The Committee on State Affairs reports

House bill No. 332 (file No. 144), entitled

A bill to create a State board to be known as the Board of Prison Industries of Michigan, and to define the duties, powers and authority of said board; and to prohibit the making of any new contract or extending the provisions or time of any existing contract;

With the recommendation that the bill pass.

FRED R. MING,

Acting Chairman.

The report was accepted and adopted and the committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Home for Feeble Minded:

The Committee on Home for Feeble Minded reports

House bills Nos. 119 and 231 (file No. 112), entitled

A bill to revise the law relative to the care of the feeble-minded and epileptic;

With the following amendments thereto:

1. By inserting in line 3 of section 10 after the word "epileptic" the words "and shall fix his compensation."

2. By inserting in line 4 of section 10 after the word "home" the words "and may be removed by the said Board for cause."

3. By inserting in line 15 of section 11 after the word "Superintendent" the words "or Board of Control."

4. By inserting in line 81 of section 15 after the word "expenses" the words "which together with all court expenses shall be borne by the county from which the patient is sent."

Recommend that the amendments be concurred in, and that when so amended, the bill pass.

N. O. WARD,

Chairman.

The report was accepted and adopted and the committee discharged.

Mr. Ward moved that the Senate concur in the amendments made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on Home for Feeble Minded:
The Committee on Home for Feeble Minded reports
House bill No. 365 (file No. 195), entitled

A bill to require certain reports to the Auditor General from the insane asylums and the Michigan Home for the Feeble-Minded and Epileptic and from the probate courts relative to insane and feeble minded persons, and to prescribe the duty of the Auditor General with reference thereto;

With the recommendation that the bill pass.

N. O. WARD,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was referred to the committee of the whole and placed on the general order.

By the Committee on Cities and Villages:
The Committee on Cities and Villages reports
House bill No. 347 (file No. 164), entitled

A bill to amend section 1 of Act No. 91 of the Session Laws of 1839, entitled "An act to provide for the recording of town plats, and for vacating the same in certain cases," being section 3372 of the Compiled Laws of 1897;

With the following amendment thereto:

By inserting in line 1 of section 1 after the word "any" the word "town;"

Recommend that the amendment be concurred in, and that when so amended the bill pass.

ARTHUR J. TUTTLE,
Chairman.

The report was accepted and adopted and the committee discharged.
Mr. Tuttle moved that the Senate concur in the amendment made to the bill by the committee.

The motion prevailed.

The bill was then referred to the committee of the whole and placed on the general order.

By the Committee on State Affairs:
The Committee on State Affairs reports
Senate bill No. 295 (file No. 283), entitled

A bill to create a board of control of the St. Clair flats, and to define its powers and duties;

With the recommendation that the bill be referred to the Special Order for consideration, Tuesday, April 27.

JAMES E. WETER,
Chairman.

The report was accepted and adopted and the committee discharged.
The bill was then referred to the Special Order for consideration Tuesday, April 27.

By the Committee on State Affairs:

The Committee on State Affairs reports
Senate bill No. 296 (file No. 284), entitled

A bill to provide for the assessment of buildings and other improvements situated on lands owned or held by the State, to the owners thereof, and to provide for the collection of taxes thereon;

With a recommendation that the bill be referred to the Special Order for consideration Tuesday, April 27.

JAMES E. WETER,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was then referred to the Special Order for consideration Tuesday, April 27.

By the Committee on State Affairs:

The Committee on State Affairs reports
Senate bill No. 298 (file No. 286), entitled

A bill to amend section 1 of Act No. 46 of the Public Acts of 1907;

With a recommendation that the bill be referred to the Special Order for consideration Tuesday, April 27.

JAMES E. WETER,
Chairman.

The report was accepted and adopted and the committee discharged.

The bill was then referred to the Special Order for consideration Tuesday, April 27.

MESSAGES FROM THE HOUSE.

The following message from the House was received and read:

House of Representatives,
April 23, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 211 (file No. 217), entitled

A bill to change the name of Egbert Wieldraayer to Egbert Tellman;
And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Religious and Benevolent Societies.

The following message from the House was also received and read:

House of Representatives,
April 23, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 398 (file No. 218), entitled

A bill to provide for the renewal of bonds of guardians, administrators, executors and trustees, to provide for the manner of service of notice thereof, and to provide for the payment of costs therefor, and to repeal Act No. 172 of the Public Acts of 1903, approved June 2, 1903;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
April 23, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 385 (file No. 219), entitled

A bill making it a crime for any person or persons to induce, persuade, incite, procure, aid or abet or undertake to induce, persuade, incite, procure, aid or abet any other person or persons to commit a misdemeanor, felony or any crime, and to provide a punishment therefor;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Judiciary.

The following message from the House was also received and read:

House of Representatives,
April 23, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 392 (file No. 222), entitled

A bill to amend section 3 of Act No. 329 of the Public Acts of 1907,

entitled "An act to prefer ex-soldiers for public employment," being compiler's section 1692 of the Compiled Laws of 1897, as amended by Act No. 85 of the Public Acts of 1899;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Military Affairs.

The following message from the House was also received and read:

House of Representatives,
April 23, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 258 (file No. 224), entitled

A bill making appropriations for current expenses, for special purposes and for publication of the collections of the Michigan Pioneer and Historical Society for the fiscal years ending June 30, 1910, and June 30, 1911, and to provide a tax to meet the same;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Education and Public Schools.

The following message from the House was also received and read:

House of Representatives,
April 23, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:

House bill No. 400 (file No. 221), entitled

A bill relative to the loaning of money and prescribing rates of interest, penalties and forfeitures for violations of the provisions of such act, and repealing Acts Nos. 334 and 337 of the Public Acts of 1907;

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,

PAUL H. KING,

Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on State Affairs.

The following message from the House was also received and read:

House of Representatives,
April 23, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to transmit the following bill:
House bill No. 206 (file No. 122), entitled

A bill to repeal section 13 and to amend sections 5, 11, 12, 14, 17, 19, 20 and 36 of Act No. 184 of the Public Acts of 1893 as amended by Act No. 220 of the Public Acts of 1905, entitled "An act to provide for the enrollment, organization, equipment, maintenance and discipline of the naval militia of the State;"

And to inform the Senate that the bill has passed the House.

In this action of the House the concurrence of the Senate is respectfully asked.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was read a first and second time by its title and referred to the Committee on Military Affairs.

The following message from the House was also received and read:

House of Representatives,
April 23, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 155 (file No. 141), entitled

A bill to amend section 10 of Act No. 157 of the Public Acts of 1851, as amended, entitled "An act to define the limits, jurisdiction and powers of circuit courts," being compiler's section 309 of the Compiled Laws of 1897, as amended by Act No. 309 of the Public Acts of 1905, approved June 17, 1905;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,
PAUL H. KING,
Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

The following message from the House was also received and read:

House of Representatives,
April 23, 1909.

To the President of the Senate:

Sir:—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 40 (file No. 38), entitled

A bill to amend section 8 of chapter 16 of the Revised Statutes of 1846, entitled "Of the powers and duties of townships and election and duties of township officers," said section being 2275 of the Compiled Laws of 1897;

And to inform the Senate that in the passage of the bill the House has concurred.

Very respectfully,

PAUL H. KING,
Clerk of the House of Representatives.

The bill was referred to the Secretary for printing and presentation to the Governor.

INTRODUCTION OF BILLS.

Mr. Fairbanks, for Mr. Wetmore, introduced

Senate bill No. 305, entitled

A bill to authorize the appointment of probate registers in certain counties, and to provide their duties and compensation.

The bill was read a first and second time by its title, ordered printed, and referred to the Committee on Judiciary.

Mr. Tuttle moved that the Senate resolve itself into the committee of the whole on the

GENERAL ORDER.

The motion prevailed.

The President pro tem. called Mr. Bolt to the chair.

After some time spent therein, the committee rose and through its chairman made the following report:

The committee has had under consideration the following:

Senate bill No. 263 (file No. 251), entitled

A bill to revise the law relating to the State Agricultural College, to prescribe the powers and duties of the State Board of Agriculture, and to repeal all acts and parts of acts inconsistent with the provisions of this act;

Also:

House bill No. 81 (file No. 124), entitled

A bill to provide for the examination, regulation, licensing and registration of optometrists practicing optometry, and for the punishment of offenders against this act;

Also:

Senate bill No. 271 (file No. 259), entitled

A bill to provide for the incorporation and regulation of co-operative and mutual protective associations of railway conductors and engineers;

Has made no amendments thereto, and has directed its chairman to report the same back to the Senate, and recommend their passage.

Also:

Senate bill No. 194 (file No. 178), entitled

A bill to regulate the taking of fish in the waters of Lakes Superior, Michigan, Huron and Erie, the bays thereof, and the connecting waters between said lakes within the jurisdiction of this State, and to regulate the transportation, sale and possession of fish taken from said waters;

Also:

House bill No. 341 (file No. 171), entitled

A bill to provide for securing and transporting unclaimed dead human bodies to be used for dissection in the advancement of science;

Also:

Senate substitute for

Senate bill No. 250 (file No. 239), entitled

A bill to authorize cities and villages to grant public utility franchises and to provide for the submission of such grants to the electors for confirmation;

Also:

Senate bill No. 37 (file No. 34), entitled

A bill to prohibit the manufacture, sale or use of adulterated cigarettes, and prohibiting the use of cigarettes by minors;

Has made sundry amendments thereto, and has directed its chairman to report the same back to the Senate, asking that the amendments be concurred in, and recommend that, as amended, the bills pass.

TOM J. G. BOLT,
Chairman.

The report was accepted.

The Senate concurred in the recommendation of the committee regarding the first, second and third named bills in the report and the bills were placed on the order of third reading of bills.

The Senate concurred in the amendments made to the fourth, fifth and sixth named bills in the report and the bills were placed on the order of third reading of bills.

The question being on concurring in the amendments made by the committee to the seventh named bill in the report,

Mr. Taylor asked for a division of the question and moved that the Senate concur in all of the amendments made to the bill except the following, offered by Mr. Kingman:

By striking out the amendment made by the committee of the whole in line 2 of section 1 after the word "substance" the words "deleterious to health."

On which amendment Mr. Taylor demanded the yeas and nays.

The Senate then concurred in the amendments made to the bill with the exception of the amendment quoted by Mr. Taylor.

The question being on concurring in the above named amendment,
The Senate then did not concur, a majority of all the Senators
present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anhut Kingman	Mr. Moriarty	Mr. Smith	Mr. Ward	5
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NAYS.

Mr. Bates Dickinson Fairbanks Foster	Mr. Fowle Fox Krueger Mapes	Mr. Newton Shields Taylor Tuttle	Mr. Weter White President protem	15
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THIRD READING OF BILLS.

Senate bill No. 269 (file No. 257), entitled

A bill to regulate the transmission of electricity through the public highways, streets and places of this State where the source of supply and place of use are in the same or different counties; and to regulate the charges to be made for electricity so transmitted; and to vest the Michigan Railroad Commission with certain powers and duties in regard thereto;

Was read a third time and, pending the taking of the vote on the passage thereof,

Mr. Anhut moved to amend the bill

By striking out the amendment made by the Select Committee on Investigation of Waterways in line 1 of section 6 of the bill after the word "to" and inserting in lieu thereof the following: "order electric current for distribution to be delivered to any city, village or township through which a transmission line or lines may pass."

The amendment was received, a majority of all the Senators present voting therefor.

The amendment was then adopted.

The question being on the passage of the bill,

The bill was then passed, a majority of all the Senators-elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin Anhut Bates Bolt Dickinson	Mr. Foster Fowle Fox Kingman Krueger	Mr. Mapes Moriarty Shields Smith Taylor	Mr. Tuttle Ward Weter White President protem	20
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NAYS.

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The title of the bill was agreed to.

Senator Collins entered the Senate Chamber and took his seat.

